

Appendix A

Correspondence



City of Boulder City

401 CALIFORNIA AVENUE
BOULDER CITY, NEVADA 89005

Mailing Address
P.O. BOX 61350
BOULDER CITY, NEVADA 89006-1350

February 15, 2005

Mr. Jeff Fontaine, Director
Nevada Department of Transportation
1263 S. Stewart Street
Carson City, NV 89712

Dear Mr. Fontaine:

This is a follow up to a conversation that I had with Scott Rawlins earlier this week. Boulder City has a long history of protecting open space and mitigating the impacts urbanization has on our desert environment. Boulder City's Eldorado Valley transfer area exemplifies this commitment in that a large portion of this area has been reserved for public recreational uses and for a desert tortoise preserve. The City's dedication to the protection of open space is further underscored in its controlled growth practices and land management plan policies.

Boulder City recognizes that a portion of the Alternative D alignment of the Boulder City/US93 Corridor Study transverse an area of big horn sheep habitat. This area is generally described as being toward the eastern City limits from the ridge line to the steep eastern faces of the Eldorado Mountains. The City agrees to actively pursue the designation of that area as a Wildlife Preserve, and that said area will be established in coordination with NDOW, NPS, FHWA, EPA, and NDOT to be used as a credit towards mitigating impacts associated with the Alternative D alignment of the Boulder City/US93 Corridor Study. Any final designation must receive formal approval of the governing body (city council).

The City anticipates this will become the final step in reaching concurrence that the Alternative D alignment of the Boulder City/US93 is the least environmentally damaging practicable alternative and ultimately a Record of Decision for the project. Thank you for your assistance and efforts to resolve this important issue.

Sincerely,

Vicki G. Mayes
City Manager

"Clean Green Boulder City"

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105

January 31, 2005

M E M O

To: Scott Rawlins, Project Manager, Nevada Department of Transportation

From: Enrique Manzanilla, Director, Cross Media Division

Subject: Response to January 13th 2005 Correspondence related to the request for Concurrence on Alternative D as the Least Environmentally Damaging Practicable Alternative

The Environmental Protection Agency (EPA) has reviewed the information submitted for the Boulder City/U.S. 93 Corridor Study via email January 13th, 2005, including (1) proposed commitments to avoid and minimize impacts to bighorn sheep and waters of the United States from the Alternative D alignment and (2) the comparison between the Alternative D alignment and alignment TA10/TA11. Thank you for organizing the site visit and interagency meeting on December 20, 2004 and for sending the additional information as discussed at that meeting.

The information submitted identifies a suite of commitments to minimize impacts to waters of the United States and to bighorn sheep. We are encouraged by these measures and are responding with several recommendations to satisfy the substantive tests of the Clean Water Act 404(b)(1) Guidelines (40 CFR Part 230). Our detailed comments are attached.

Also, we would like to point out that the next step in the National Environmental Policy Act/Clean Water Act Section 404 Integration Memorandum of Understanding (NEPA/404 MOU) is concurrence on the Conceptual Mitigation Plan. Therefore, we are providing a few recommendations for information to be included at that point. Following the concurrence on the Conceptual Mitigation Plan, we expect that NDOT and the Federal Highway Administration will finalize the Final Environmental Impact Statement (EIS) and release it for public review as quickly as possible. EPA recognizes the local and regional significance of this project, and remains committed to continuing our active participation in the environmental review process.

As discussed in our December 20th interagency dispute resolution meeting, the next phase in our agreed-upon schedule is to discuss these comments via a conference call during the next couple of weeks. Please contact Connell Dunning at 415-947-4161 to coordinate the call or if you have any questions about EPA's comments.

**EPA COMMENTS ON AVOIDANCE AND MINIMIZATION MEASURES PROPOSED BY NDOT
ON JANUARY 13, 2005 FOR BOULDER CITY CORRIDOR STUDY ALTERNATIVE D**

Least Environmentally Damaging Practicable Alternative (LEDPA)

Based on our review of the documents submitted by the Nevada Department of Transportation (NDOT) via email on January 13, 2005, the Environmental Protection Agency (EPA) has the following recommendations:

- 1. The modifications proposed by NDOT to avoid impacts to waters of the U.S. and bighorn sheep should be incorporated into the definition of Alternative D, and not identified as "mitigation measures."***

In determining the LEDPA pursuant to the Clean Water Act 404(b)(1) Guidelines (40 CFR Part 230), measures that avoid and minimize impacts should be incorporated into the project design and clearly be a feature of the proposed action. For the administrative record, it must be clear how impacts to waters have been avoided and minimized and why impacts requiring compensatory mitigation are unavoidable.

Compensatory mitigation can further reduce unavoidable impacts, only after the LEDPA has been identified (see EPA comments on conceptual mitigation plan below). We discussed this during our interagency meeting on December 20, 2004. Therefore, all proposed modifications to Alternative D should be removed from the Mitigation Table and incorporated into the preliminary design for Alternative D.

Also, the impact analysis should be modified to reflect the acreage of waters of the U.S. ("waters") that will now be impacted by Alternative D at WUS D-8, D-9, D-10, D-11, D-12, and D-13. Because the addition of several crossings avoiding impacts to waters have been proposed, the identification of remaining impacts should be updated to reflect this change.

- 2. A conceptual description of each bighorn sheep crossing at WUS D-10, 11, 12, and 13 should be provided; and incorporated into the definition of Alternative D.***

We appreciate the identification of Proposed Measures #1, 2, and 3 and understand they are presented as "placeholders" for structures at WUS D-10, D-11, D-12, and D-13. Although we requested specific information about these crossings at the interagency meeting, and were clear that conceptual design information would be acceptable, this has not been provided. EPA cannot concur on the LEDPA unless we are provided with sufficient information to understand what is being proposed at each crossing and how it will avoid impacts to resources that are regulated by the 404(b)(1) Guidelines.

We also recommend that each crossing be defined in terms of how sheep movement will be facilitated at each location (e.g., construction of an overcrossing or undercrossing, the general location of fencing, and revegetation of habitat). Please clarify how the Inter-tie

access road will be designed to facilitate long-term movement of bighorn sheep and whether the structures at D-12 and D-13 will be designed as one or two spans. Identify how Nevada Department of Wildlife (NDOW) and the National Park Service (NPS) will be included in the design of the above structures, addressing potential movement of wildlife across all the washes. Input from NDOW and NPS should be included in the design and construction phases (context sensitive design, revegetation, location, etc.).

3. A conceptual description of culvert designs at WUS D-8, D-9, and D-10 should be provided; and incorporated into the definition of Alternative D.

The Administrative Final Environmental Impact Statement (FEIS) states various mitigation measures for impacts to waters, including a site-specific Stormwater Pollution Prevention Plan (SWPPP) and Best Management Practices (BMPs), but in accordance to the Clean Water Act Section 404(b)(1) Guidelines, and as discussed earlier, priority must be given to avoidance, before mitigation can be considered.

Please identify the type and approximate size of culverts that will be placed in WUS D-8, D-9, and D-10. As shared with NDOT via phone on January 31, 2005, the Clark County Multiple Species Habitat Conservation Plan (MSHCP) identifies NDOT commitments to “ameliorate existing, or install new, under-road culverts to allow passage of terrestrial species” and “install movement directing devices in conjunction with highway/roadway protective fencing” (Final Clark County MSHCP, p. 2-266). Identify how the design of the culverts will be consistent the MSHCP, including the incorporation of soft bottomed culverts, appropriate movement directing devices and other recommendations from NDOW and NPS.

4. Commit to reconvene an interagency group should future engineering-related limitations determine that crossing structures are not feasible.

To address the potential for currently unforeseen design modifications to eliminate the crossings that are features of the LEDPA, we request the following commitment to future interagency coordination:

Additional Proposed Measure #6: Identify that during the future design phase and associated engineering-related studies, NDOT and FHWA will confirm that proposed crossing structures, as committed to in the Record of Decision, are feasible and appropriate. Should NDOT and FHWA determine that the location, type, design, and/or quality of agreed-to crossing structures are not feasible, NDOT and FHWA will reconvene an interagency meeting, including representation from NDOW and NPS, Army Corp of Engineers, and EPA to address alternative methods for following through with commitments for designing and building bighorn sheep crossing structures.

Elimination of Alignment TA10/TA11

1. The “balance sheet” should clearly identify the environmental superiority of Alternative D or demonstrate that TA10/TA11 is not practicable.

We appreciate the information provided to compare Alternative D with alignment TA10/TA11, and your confirmation that this analysis is consistent with the original screening criteria that were applied in 2000. However, the table does not clearly demonstrate that Alternative D is the LEDPA, or that alignment TA10/TA11 is not practicable. Therefore, we recommend adding the following environmental criteria and supporting information to the balance sheet:

- approximate acreage of floodplain impacts, and an explanation of the distinction between impacts to floodplains and impacts to waters of the U.S.
- approximate acreage of direct impacts to wildlife habitat, noting intensity of use for these areas, and distinguishing construction and operational impacts,
- estimated adverse effects on wildlife from the fragmentation of the El Dorado Ridge,
- any other impacts that distinguish Alternative D and alignment TA10/TA11.

We also recommend that the side-by-side comparison address whether alignment TA10/TA11 is practicable (based on costs, logistics, or technology). As noted in our November 3, 2004 non-concurrence letter, an alternative that meets the project’s basic purpose is either practicable or not, and should not be described as relatively more or less practicable than another alternative.

Conceptual Mitigation Plan

After concurrence on the LEDPA, the next step in the NEPA/404 integration process is interagency concurrence on the conceptual mitigation plan. We are providing the following recommendations at this time, to expedite the environmental review process.

1. A commitment to construct the bighorn sheep crossing at existing U.S. 93 should be provided.

As we discussed at our December 20th interagency meeting, the construction of a crossing structure designed specifically for bighorn sheep movement, is necessary to mitigate the cumulative impacts to the bighorn sheep from the construction of the Hoover Dam Bypass and the Boulder City Bypass. Otherwise, these projects together would create permanent barriers to movement of the sheep between the El Dorado and River Mountains.

Proposed Measure #4 includes a commitment to “participate in the coordination and development” of a bighorn sheep crossing in the Lake Mead National Recreation area west of the Alan Bible Visitor Center. If this measure is intended to mitigate impacts to bighorn sheep caused by the Boulder City Bypass, then NDOT should provide a clear

commitment to construct the bighorn sheep crossing on existing U.S.93, including information on the conceptual design of the crossing (including location, fencing, pavement, revegetation). We recommend pursuing interagency agreements to ensure adequate maintenance of the crossing and monitoring success are addressed in the conceptual mitigation plan.

Per discussions with NDOT, EPA understands that efforts to construct a future wildlife crossing over existing U.S. 93 must involve coordination between Boulder City, National Park Service, NDOT, FHWA, and NDOW. This project provides an opportunity to coordinate with the above agencies now to construct a crossing to both improve existing safety concerns and mitigate impacts to bighorn sheep movement. EPA will consider a clear commitment as credit toward the project's compensatory mitigation for secondary and cumulative impacts. This does not affect compensatory mitigation that is required for direct impacts to aquatic resources.

2. The unavoidable impacts should be recalculated after corrections to the LEDPA analysis are made, and compensatory mitigation should meet a 1:1 replacement to loss ratio.

As discussed in our first comment on the LEDPA analysis, once "avoidance" measures are incorporated into Alternative D, there will be a new value of unavoidable impacts requiring mitigation. The Conceptual Mitigation concurrence request should include the quantity of remaining impacts to waters of the U.S and bighorn sheep, and propose compensatory mitigation with a 1:1 replacement to loss ratio for waters adversely affected by the project.

3. The establishment of a permanent conservation easement in the Eldorado Ridge should be proposed to prevent further damage to bighorn sheep habitat beyond the fragmentation caused by the proposed project.

To prevent further fragmentation of the Eldorado Ridge landscape, we recommend a conservation easement to protect the habitat that will be permanently bisected by the Boulder City Bypass. Movement between the River and El Dorado Mountains is integral to the health of the wildlife populations. NDOT's commitments to provide wildlife crossings are an important component to wildlife movement. However, if habitat on either side of the proposed Alternative D alignment, is further eliminated or degraded, the crossings themselves will not be sufficient to ensure the future viability of the existing habitat.

A conservation easement should link the proposed wildlife crossing structures to habitat and help buffer the loss of habitat resulting from this project. Because the City of Boulder is in favor of Alternative D, we hope there is local support to establish a conservation easement.

In the Conceptual Mitigation Plan, we recommend the following information be provided: current land ownership, current and proposed zoning, proposed boundaries for

a conservation easement encompassing Eldorado Ridge, potential funding sources for the conservation easement, and a discussion of other efforts to protect wildlife habitat in the vicinity.

4. Provide a commitment to support bighorn sheep monitoring.

The radio-collaring of bighorn sheep as a result of mitigation for the Hoover Dam Bypass has provided locational data for high-use areas and movement patterns of the local population of bighorn sheep. This data can now be used to augment the existing design of transportation routes and to better plan new routes so that human safety can be improved while reducing the number of wildlife road-kill incidents. Commitments for continued monitoring of the sheep would benefit future land-use and transportation decisions in the area surrounding Boulder City.

We recommend that Conceptual Mitigation Plan include a commitment to support continued monitoring of the bighorn sheep population. Also, specific safety measures that are now possible due to the existing locational data of the radio-collared sheep should be described.

Final Environmental Impact Statement and Record of Decision

After concurrence on the LEDPA and the conceptual mitigation plan, the Final EIS and Record of Decision will be published. We recommend incorporating all measures that are agreed-to through the concurrence process in the Final EIS and Record of Decision.

United States Department of the Interior



NATIONAL PARK SERVICE

LAKE MEAD NATIONAL RECREATION AREA
601 NEVADA WAY
BOULDER CITY, NEVADA 89005-2426

IN REPLY REFER TO:
D18

January 27, 2005

Scott Rawlins, P.E., Project Manager
Nevada Department of Transportation
1263 S. Stewart Street
Carson City, NV 89712

Dear Mr. Rawlins:

We have reviewed the materials presented at the Project Management Team Meeting on January 4, 2005, concerning the alternative requested by the Environmental Protection Agency (EPA) and your subsequent analysis. It is our understanding this information will be forwarded to the EPA seeking concurrence for Alternative D to be identified as the Least Environmental Damaging Practicable Alternative (LEDPA).

The National Park Service has participated in the environmental process for this project including the development of alternatives and the preparation of the draft environmental impact statement and section 4(f) evaluation. While Alternative D is not our preferred alternative, we did participate in the process where the preferred alternative was identified. We are supportive of the collaborative process that has resulted in the selection of Alternative D connecting traffic from the Hoover Dam Bypass Project with the Las Vegas Valley. We have concurred with the environmental document.

We understand the major issue facing the project today is the maintenance of bighorn sheep movement within the Eldorado Mountains and between the Eldorado Mountains and the River Mountains. As the National Park Service has a responsibility for the management of wildlife habitat on lands within Lake Mead National Recreation Area, we have reviewed the proposed sheep crossing areas identified by Nevada Department of Transportation and the Department of Wildlife. Four crossing sites have been identified in the vicinity of the boundary between Boulder City and Lake Mead National Recreation Area. We believe the four crossing sites are appropriate for this project.

The National Park Service will continue to work with the Nevada Department of Transportation in the design of the wildlife crossings to ensure the quality of the crossings. Our goals in this

planning process are to eliminate the sheep interactions with vehicles while maintaining or enhancing sheep crossings of the highway. To achieve these goals, we are actively participating in research with the Federal Highway Administration, Nevada Department of Wildlife and Arizona Fish and Game Department designed specifically to address wildlife crossings along U.S. Highway 93. If additional sheep crossing amenities are determined to be appropriate along this corridor or other highway corridors, the National Park Service will work cooperatively with the responsible agencies for the implementation of such crossings. It is important the crossing design incorporate the most advanced thinking to maintain or enhance communication between the various geographic areas supporting bighorn sheep. We remain committed to these goals.

We trust this information is useful in the resolution of the bighorn sheep issues as they relate to this analysis. Should you require additional information, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "William K. Dickinson". The signature is fluid and extends across the width of the line.

William K. Dickinson
Superintendent



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3801

November 3, 2004

Ms. Susan Klekar, Division Administrator
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, NV 89701

Subject: Concurrence Request for the Boulder City Bypass/U.S. 93 Least Environmentally Damaging Practicable Alternative (LEDPA)

Dear Ms. Klekar:

We are writing in response to the Federal Highway Administration's (FHWA) letter dated September 24, 2004 requesting LEDPA concurrence on Alternative D for the proposed Boulder City Bypass/U.S. 93. The concurrence request was sent pursuant to the National Environmental Policy Act/Clean Water Act (CWA) Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU).

Regulations implementing CWA Section 404 require that, "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences" (40 CFR Part 230.10(a)). Alternative D does not represent the LEDPA because, compared to other alternatives, it would result in both more adverse impact on the aquatic ecosystem and other significant adverse environmental consequences. Specifically, based on the information provided by FHWA in the concurrence request itself, the Draft Environmental Impact Statement (Draft EIS), and the Administrative Final EIS (including Figures 3-4a and 3-4b enclosed), Alternative D would cause or contribute to significant degradation of aquatic resources within the El Dorado Mountain Range, and significant adverse effects on wildlife, i.e., desert bighorn sheep indigenous to the El Dorado, River, and McCullough mountain ranges (40 CFR Part 230.10(c)). Therefore, EPA does not concur that Alternative D is the LEDPA. Our detailed comments are enclosed.

While all build alternatives evaluated in the Draft EIS could adversely affect desert bighorn sheep, only Alternative D would result in the construction of an entirely new transportation facility through a remote mountain range encompassing sensitive habitat necessary for the health of the desert bighorn sheep (see Figure 3-4b). We note the Administrative Final EIS states that methods to avoid impacts to desert bighorn sheep will be formulated in the future in conjunction with wildlife biologists. However, in order to demonstrate that significant adverse effects on the sheep will be avoided, significant modifications including specific mitigation measures would need to be incorporated into Alternative D, and made available for public review and comment.

Administrative Final EIS

100

NSN 7540-01-211-1000 5099-101 GENERAL SERVICES ADMINISTRATION

Printed on Recycled Paper


Alternatives that merit consideration as the LEDPA include: (1) a modified Alternative D alignment that does not fragment the El Dorado Mountains (a concept discussed among EPA, FHWA, Nevada Department of Transportation (NDOT), and the Nevada Department of Wildlife (NDOW) on July 2, 2004); or (2) Alternatives B and C.

EPA first alerted FHWA to our concerns with Alternative D in our comment letter on the Draft EIS (May 10, 2002). Despite the efforts of our agencies, EPA's concerns have not been resolved. Therefore, we cannot concur that Alternative D is the LEDPA. Without the benefit of the NEPA/404 MOU process, the issues we are raising with Alternative D would not be raised until FHWA and NDOT submitted an application to the U.S. Army Corps of Engineers (Corps) for a federal permit under CWA Section 404, and the Corps responded by issuing a Public Notice for an Individual Permit. It is likely that EPA would designate Alternative D (as currently proposed) as a candidate for permit elevation under the Memorandum of Agreement signed by EPA and the Corps in 1992 pursuant to CWA Section 404(q). A permit elevation would center on the potentially irreversible secondary and cumulative effects associated with building the transportation project through the El Dorado Mountains when other practicable alternatives are available. Therefore, we look forward to avoiding further interagency disagreement by employing problem solving procedures under the NEPA/404 MOU.

According to the NEPA/404 MOU, it is our understanding that EPA's nonconcurrence initiates formal dispute resolution. We respectfully request the opportunity to meet with you and NDOT to discuss specific opportunities to avoid the significant adverse impacts associated with Alternative D. There are reasonable design modifications that have been suggested by EPA and NDOW, but were neither fully evaluated nor eliminated with a clear rationale. The NEPA/404 MOU provides a forum for highlighting and resolving concerns that might otherwise lead to regulatory obstacles at the permitting stage. Coming to resolution on this issue now will help streamline the permitting process and ensure the selected alternative is legally defensible.

EPA will initiate scheduling an interagency meeting prior to publication of the Final EIS as part of the dispute resolution process. If you wish to discuss this matter further, please call me at (415) 972-3843. You can also have your staff contact Tim Vendlinski, Supervisor of our Wetlands Regulatory Office (415) 972-3464, or Lisa Hanf, Manager of the Federal Activities Office at (415) 972-3854.

Sincerely,


Enrique Manzanilla, Director
Cross Media Division

Enclosures: EPA's Detailed Comments
Figures 3-4a and 3-4b from FHWA's Administrative Final EIS

cc:

Christine Johnson, Federal Highway Administration

Andy Rosenau, Army Corps of Engineers

Jeff Fontaine, Nevada Department of Transportation

Patrick Cummings, Nevada Department of Wildlife

Glen Gentry, Nevada Department of Environmental Protection

EPA's DETAILED COMMENTS ON FEDERAL HIGHWAY ADMINISTRATION'S REQUEST FOR CONCURRENCE ON THE LEDPA FOR BOULDER CITY/US93, CLARK COUNTY, NEVADA, NOVEMBER 3, 2004

History of EPA Involvement

Comments on Draft Environmental Impact Statement

The Environmental Protection Agency (EPA) provided comments on the Draft Environmental Impact Statement (DEIS) for the Boulder City/U.S. 93 Project on May 10, 2002. Our comments included concerns about the lack of information addressing the minimization and mitigation of impacts, the protection of water quality, and the analysis of indirect and cumulative effects to waters of the United States (waters) under Alternative D. At that time, EPA noted that Alternative D was not the environmentally preferred alternative.

Request for Concurrence on the Least Environmentally Damaging Practicable Alternative (LEDPA)

The Federal Highway Administration (FHWA) previously submitted a request for concurrence on Alternative D as the LEDPA pursuant to the National Environmental Policy Act/Clean Water Act (CWA) Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU) on July 24, 2003 and again on December 24, 2003. Through interagency meetings, EPA indicated to FHWA that Alternative D did not appear to be the LEDPA due to greater impacts to waters of the United States, water quality (due to erosion from extensive cut and fill through mountainous terrain), and impacts to bighorn sheep habitat.

In March 2004, FHWA then proposed to avoid all waters of the U.S. and to minimize cut and fill via a revised Alternative D - Elevated Profile Alternative, which would have included seven new bridges and no direct impacts to waters of the U.S. With this avoidance of jurisdictional waters, EPA's response (April 7, 2004), documented our understanding at that time that an Individual Permit would not be required, thus concurrence on the LEDPA was not necessary. We also maintained our position that Alternative D did not appear to be the environmentally preferred alternative and restated our concerns.

In June 2004, FHWA indicated to EPA that FHWA and Nevada Department of Transportation (NDOT) were not supportive of the Elevated Profile Alternative, thereby reintroducing the original Alternative D and reinitiating the NEPA/404 MOU. At a meeting in Las Vegas on July 2, 2004, attended by Tim Vendlinski of EPA's Wetlands Regulatory Office, various strategies for addressing EPA's regulatory concerns were discussed. Both EPA and Nevada Department of Wildlife (NDOW) detailed their concerns that the potential adverse effects of Alternative D were irreversible and unmitigable. At this meeting, NDOT agreed to work with NDOW to develop a modified alignment that was feasible from an engineering standpoint and environmentally sensitive in terms of protection for critical foraging areas and movement corridors for bighorn sheep. The modified alternative could be designed to avoid

much of the environmental damage, and therefore reduce the mitigation burden for the project proponents. Shortly thereafter, NDOT informed EPA that they had decided not to pursue additional coordination with NDOW.

An Administrative Final EIS was received by EPA on September 27, 2004, along with a request for concurrence on Alternative D as the least environmentally damaging practicable alternative (LEDPA).

Impacts to Aquatic Resources

Clean Water Act Compliance

Alternative D bypasses the community of Boulder City to the south, connecting back to the existing U.S. 93 through the El Dorado Mountains, a route that will require up to 230-foot-high road cuts with the greatest length of steepest grade (13,780 feet) through extremely rough terrain (Section 4.5.1, Administrative Final EIS) and the greatest amount of cut and fill and multiple steep road cuts, directly impacting 4.84 acres of waters of the U.S. As EPA has documented with previous correspondence to FHWA and NDOT, the Federal Guidelines (40 CFR 230, "Guidelines") promulgated under Section 404 (b)(1) of the Clean Water Act outline a sequential approach to reducing impacts to waters: avoidance, minimization, and compensatory mitigation. The Administrative Final EIS does not describe how impacts to waters under Alternative D have been avoided and minimized, i.e. a demonstration that impacts to waters are unavoidable.

In addition, the Administrative Final EIS states that temporary erosion and sediment control plans will be developed once a Notice of Intent is filed as part of the National Pollutant Discharge Elimination System (NPDES) permit. Due to the number and magnitude of cuts required for construction of Alternative D, we ask that these plans be more fully developed now. Without a detailed demonstration and explanation of how impacts to the aquatic ecosystem will be mitigated, alternatives cannot be evaluated accurately for purposes of determining the LEDPA in accordance with the Guidelines.

Definition of Waters of the United States

The FHWA request for concurrence concluded that because no hydrophytic vegetation and hydric soils were found to occur in the desert washes in the vicinity of the proposed project, construction of Alternative D, or any of the other build alternatives, will have no direct impact to any aquatic ecosystems. This conclusion on impacts is inconsistent with the aforementioned determination that 4.84 acres are directly impacted by Alternative D. The criteria of hydrophytic vegetation and hydric soils are indicators of wetlands, a type of aquatic environment that can be designated as waters of the U.S. The terms "aquatic environment" and "aquatic ecosystem" refer to waters of the U.S., as defined at 40 CFR Part 230.3. As the washes of concern have been designated as waters of the U.S., the terms "aquatic environment" and "aquatic ecosystem" under the Guidelines are in reference to the desert washes, not wetlands. While it is true that no

wetlands occur on the project site, there are designated waters of the U.S., of which 4.84 acres will be directly impacted according to the jurisdictional delineation for the proposed project (Administrative Final EIS, Page 4-47). Therefore, EPA does not agree with FHWA's determination in the request for concurrence that construction of Alternative D will have no adverse impact to aquatic ecosystems.

Ephemeral washes are characteristic of watersheds in arid regions throughout the West and accommodate flood flows and energy dissipation, provide benefits to water quality and quantity via infiltration and groundwater recharge, and serve as corridors for wildlife migration and the dispersal of wildlife populations. These functions and values of ephemeral systems are often overlooked, and the unique ecosystems are subsequently degraded. In the case of constructing and operating Alternative D, the severity and seriousness of the direct, secondary, and cumulative impacts are not sufficiently addressed by FHWA in the Administrative Final EIS. With the information that has been provided in the FHWA's request for concurrence and the Administrative Final EIS, EPA has concluded that Alternative D does not comply with the Guidelines and does not qualify as the LEDPA.

Potential Impacts to Desert Bighorn Sheep and Wilderness

While all proposed alternatives contribute to the restriction of sheep movement between the River Mountains in the north and the McCullough Range and El Dorado Range in the south, only Alternative D bisects an existing heavily frequented area. The enclosed map (Figure 3-4b, Administrative Final EIS) depicts the location of 20 radio-collared bighorn sheep between October 2003 and June 2004, representing just a portion of the bighorn population using the area. Information provided to FHWA and NDOT by NDOW indicates that an escalation in roadway mortalities and further habitat degradation and fragmentation as a result of the proposed modifications to U.S. 93 through Boulder City and the Hoover Dam Bypass Project would pose irreversible impacts to the El Dorado Mountain population of desert bighorn sheep (Draft EIS comment letter from NDOW, May 10, 2002). The current population has declined from an estimated 370 adults in 1985 to the present number of 220 adults. Even with the potential installation of crossing structures (e.g., bridges, underpasses, overpasses, fences) and culverts, Alternative D would cause significant environmental degradation as a result of the direct destruction of sensitive habitat, fragmentation of mountain ranges, and roadway mortality of bighorn sheep.

Alternative D will fragment and reduce the existing habitat patch size for desert bighorn sheep by creating both a geographic and a genetic barrier to movement, effectively eliminating the use of all existing habitat west of the proposed route. A recent study concluded that habitat patch size was the primary correlate to population performance and persistence of bighorn sheep (Singer et al., 2001). Recent studies have shown that introduced geographic barriers, such as highways, can have an important effect on gene flow and the genetic structuring of populations (Gerlach and Musolf, 2000), resulting in genetic isolation and reduced ability to

maintain healthy populations. Gene flow and movement between core areas of wildlife habitat is essential to decrease the probability for populations to become threatened and endangered (Soule, 1987).

While much research has been undertaken to better understand the effects of roads on ecological communities (Trombulak and Frissell, 2000), additional research has been underway to better modify roadways to allow for wildlife movement and minimize roadway mortality (Clevenger et al., 2001; McDonald and St. Clair, 2004). In addition, FHWA completed a study evaluating wildlife habitat connectivity across European highways (FHWA, 2002). This study is relevant to the Boulder City Project, as indicated by NDOW in a letter to NDOT (letter dated January 16, 2003). Applying FHWA's study to this project could support a recent resolution by the Western Association of Fish and Wildlife Agencies (WAFWA) to "develop and test overpasses that facilitate big game movement across fenced highways in the most economical manner" (WAFWA, 2002). FHWA and NDOT should coordinate with federal, state, and county agencies, as well as land trusts, independent biologists, and university researchers to identify critical barriers, bottlenecks, and filters where potential corridor routes intersect with bighorn sheep movement and subsequently apply this information to the determination of an alignment footprint that would allow for continued bighorn sheep movement. Similar approaches have been successful in other regions of the United States, where regional approaches to understanding wildlife movement have been integrated with highway design (Davidson, 2003).

Given that the existing design would result in significant adverse environmental consequences to the El Dorado population of desert bighorn sheep, EPA continues to believe that Alternative D as proposed is not the LEDPA.

Other Considerations in Determining the LEDPA

Secondary and Cumulative Impacts

The Administrative Final EIS includes an analysis of secondary and cumulative impacts, but the analysis does not specifically address the secondary and cumulative effects that will result from the discharge of fill to the aquatic ecosystem under Alternative D. Secondary effects to aquatic ecosystems are those that are associated with a discharge of dredged or fill materials, but do not result from the actual placement of the dredged or fill material" (40 CFR Part 230.11(h)). Secondary aquatic ecosystem effects of concern for Alternative D include: altering natural hydrologic functions; increased area of impervious surfaces; increased velocity of stormwater discharges to existing drainage channels and subsequent erosion, incising, and bank destabilization; and distribution of runoff containing sediment, heavy metals, organic compounds, and petroleum products to downstream water bodies (e.g., Lake Mead). The Administrative Final EIS briefly mentions potential effects, but does not include specific commitments regarding mitigation measures, such as the installation, design, number, and location of retention basins or dissipaters at the end of box culverts. In addition, secondary impacts to bighorn sheep are not fully discussed and the extent of habitat that may be inaccessible to bighorn sheep should Alternative D be constructed is not quantified.

Cumulative impacts to aquatic ecosystems are "changes that are attributable to the collective effect of a number of individual discharges of dredged or fill material" (40 CFR Part 230.11(g)). Cumulative impacts include historical impacts and those that will happen in the reasonably foreseeable future. For Alternative D, the impacts to bighorn sheep that will result from both the Hoover Dam Bypass Project and the Boulder City/US 93 Bypass need to be addressed in the cumulative impacts analysis.

Practicability

As EPA has indicated to FHWA and NDOT through previous discussions, all alternatives analyzed appear to satisfy the definition of "practicable" as "available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purpose" (40 CFR Part 230.10). Each alternative also meets the project purpose and need. Although the letter of request for concurrence states that Alternatives B and C are "not as practicable as Alternative D", the determination of one alternative being "more practicable" than another is irrelevant to the process of determining the LEDPA, as prescribed by the Guidelines. Likewise, as discussed further below, local legislation or public opposition does not make an otherwise practicable alternative impracticable. The determination of the LEDPA must also take into consideration all applicable mitigation measures for each alternative.

EPA recognizes that (1) consent from affected governing bodies is required prior to changing or diverting a route under Nevada Revised Statute 408.397; and (2) a previous vote by Boulder City in 1999 indicated 61.3 percent approval for an initiative to build a route south of Boulder City airport and $\frac{1}{4}$ mile from any existing residences. While much effort and time has been spent to determine the locally preferred alternative, including a vote by local residents regarding the placement of the future road, it is important to note that the initiative/local legislation cannot in and of itself make an otherwise practicable alternative impracticable. This would delegate CWA Section 404 decision-making to the state or local government level. To the extent that local legislation is based on environmental, cost, logistic or technical grounds, those underlying arguments will be independently analyzed during the CWA permitting process. Therefore, alternatives within the $\frac{1}{4}$ -mile buffer zone can be practicable alternatives.

Flexibility of the Guidelines

As FHWA notes in their request for concurrence, according to the EPA and Army Corps of Engineers Memorandum to the Field titled *Appropriate Level of Analysis Required for Evaluating Compliance with the Section 404 (b)(1) Guidelines Alternatives Requirement* (August 23, 1993) ("Memo"), the Guidelines afford flexibility for making regulatory decisions based on the relative severity of the impacts on the aquatic ecosystems. However, this flexibility applies to the analysis of alternatives which result in no identifiable or discernible difference in impact on the aquatic ecosystem. The irreversible impacts to the El Dorado bighorn sheep population that would result from the construction of Alternative D set the alternative apart from Alternatives B and C with respect to overall environmental consequences and impacts to the aquatic ecosystem. Impacts to jurisdictional waters would also be greater for Alternative D than

for Alternatives B and C. Even if Alternative D were to have fewer adverse impacts on the aquatic ecosystem, as stated earlier, the "other significant adverse environmental consequences" allow it to be rejected from consideration as the LEDPA (40 CFR Part 230.10(a)).

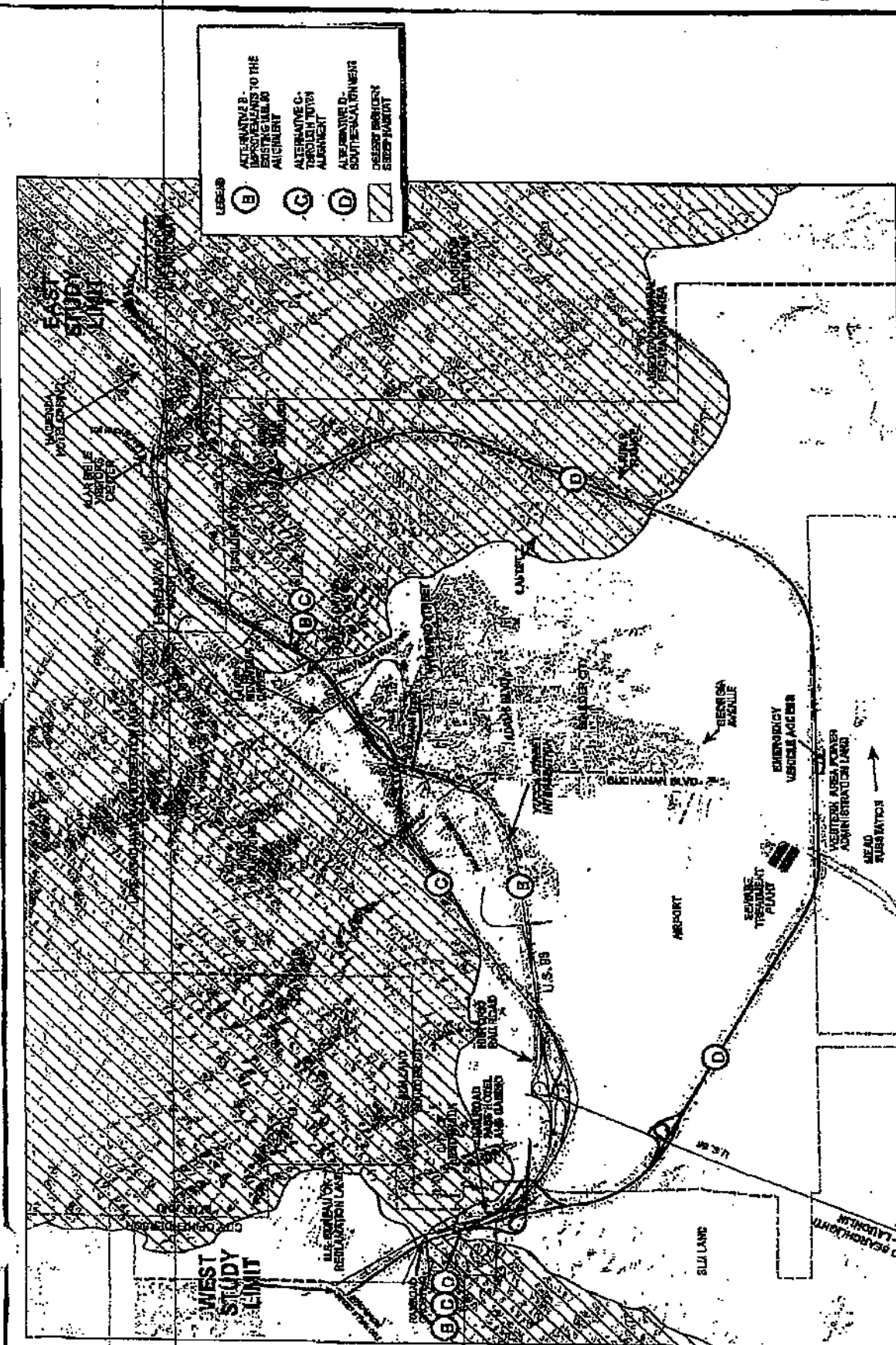
Additionally, the Memo states that "Notwithstanding this flexibility, the record must contain sufficient information to demonstrate that the proposed discharge complies with the requirements of Section 230.10(a) of the Guidelines. The amount of information needed to make such a determination and the level of scrutiny required by the Guidelines is commensurate with the severity of the environmental impact (as determined by the functions of the aquatic resource and the nature of the proposed activity) and the scope/cost of the project." As discussed earlier, FHWA has not provided sufficient information concerning the significant adverse impacts on the bighorn sheep population or secondary and cumulative effects of impacts to the aquatic ecosystem under Alternative D in the Administrative Final EIS. Failure to address interagency concerns regarding large-scale and permanent damage to the environment lead us to conclude that there is insufficient information to make a reasonable judgment as to whether the proposed discharge complies with the Guidelines (40 CFR Part 230.12).

Next Steps

EPA seeks resolution on FHWA's request for concurrence on the LEDPA. We will contact FHWA to organize a meeting to discuss the concerns raised. Following concurrence on the LEDPA, the next concurrence point in the NEPA/404 MOU is the Conceptual Mitigation Plan. We look forward to continuing to work with FHWA through the NEPA/404 MOU process. EPA will also provide comments on the Final EIS once it is available for public review.

REFERENCES FOR EPA'S DETAILED COMMENTS ON FEDERAL HIGHWAY ADMINISTRATION'S
REQUEST FOR CONCURRENCE ON THE LEDPA FOR BOULDER CITY/US93, CLARK COUNTY,
NEVADA, NOVEMBER 2, 2004

- Clevenger, Anthony P.; B. Chruszcz; and K. Gunson. 2001. Drainage culverts as habitat linkages and factors affecting passage by mammals. *Journal of Applied Ecology*, 38(6): p. 1340.
- Davidson, D. K. 2003. Innovative partnerships that address highway impacts to wildlife habitat connectivity in the northern Rockies. *American Wildlands*.
<http://www.wildlands.org/highwaywildlife.pdf>
- Federal Highway Administration. 2002. Wildlife habitat connectivity across European highways, FHWA. Report Number: FHWA-PL-02-011;
http://www.international.fhwa.dot.gov/wildlife_web.htm
- Gerlach, G. and K. Musolf. 2000. Fragmentation of landscapes as a cause for genetic subdivision in bank voles. *Conservation Biology* 14(4): p. 1066.
- McDonald, W. and C. St. Clair. 2004. Elements that promote highway crossing structure use by small mammals in Banff National Park. *Journal of Applied Ecology*, 41(1):p. 82.
- Singer, Francis J.; L. C. Zeigenfuss; and L. Spicer. 2001. Role of patch size, disease, and movement in rapid extinction of bighorn sheep. *Conservation Biology* 15(5):p. 1347.
- Soule, M. E., editor. 1987. *Viable Populations for Conservation*. Cambridge University Press, New York.
- Trombulak, S. C., and C. Frissell. 2000. Review of ecological effects of roads on terrestrial and aquatic communities. *Conservation Biology*, 14(1): p. 18.
- Western Association of Fish and Wildlife Agencies (WAFWA). 2002. Resolution: Support for cooperative development of highway overpasses for big game. Adopted in convention, July 17, 2002. Albuquerque, New Mexico.



1259

FIGURE 3-4A
DESERT BIGHORN SHEEP HABITAT IN
AREAS CROSSED BY PROPOSED
BOULDER CITY/U.S. 93 CORRIDOR
ALIGNMENTS
 BOULDER CITY/U.S. 93 CORRIDOR STUDY
 ENVIRONMENTAL IMPACT STATEMENT

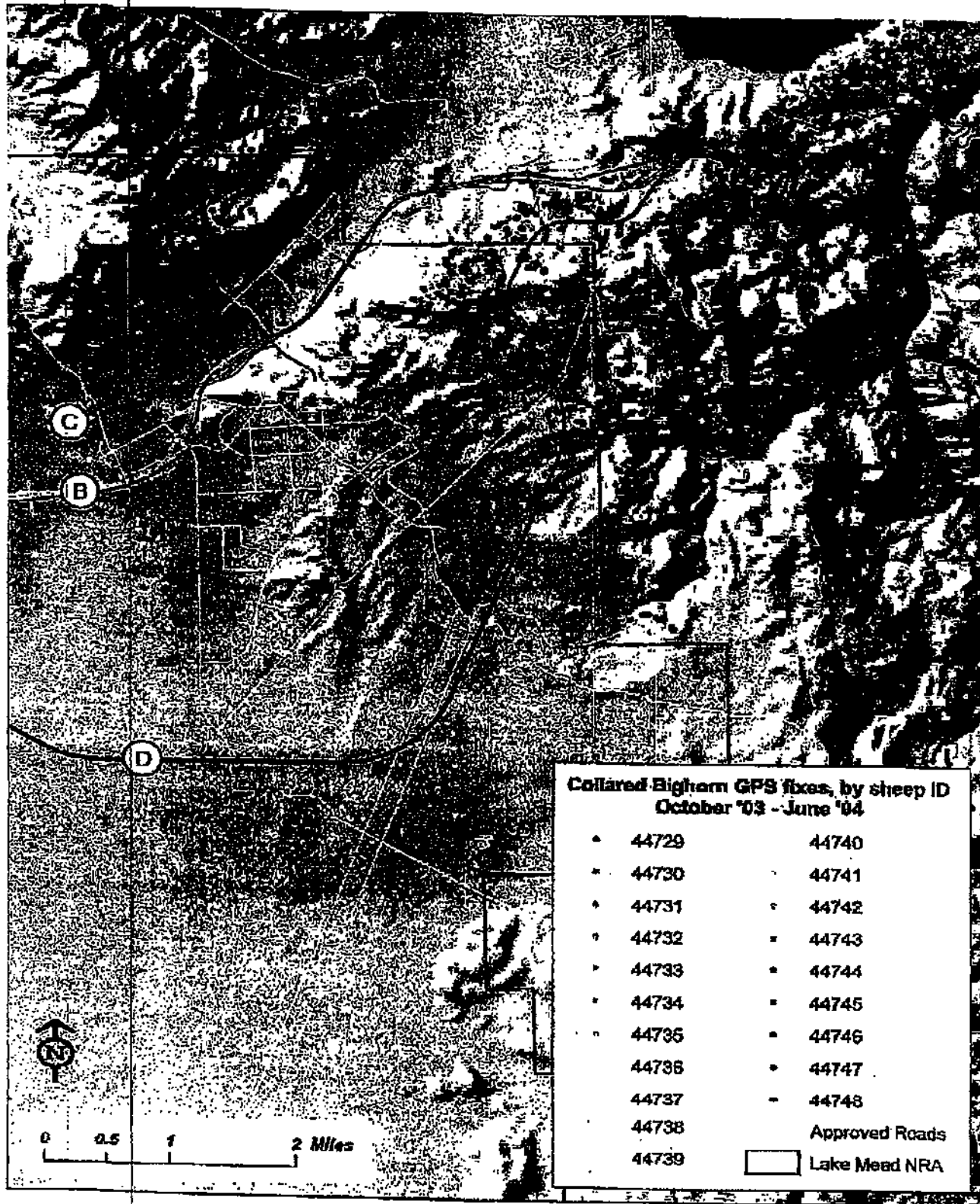


FIGURE 3-4B
DESERT BIGHORN SHEEP OCCURRENCES
 BOULDER CITY/U.S. 93 CORRIDOR STUDY
 ENVIRONMENTAL IMPACT STATEMENT



U.S. Department
of Transportation
Federal Highway
Administration

705 North Plaza St. Suite 220
Carson City, NV 89701

September 24, 2004

Nevada Division

In Reply Refer To:

HDA-NV
SPF-093-1(010)

Mr. Wayne Nastri
Administrator, U.S. EPA Region IX
75 Hawthorne Street
San Francisco, CA 94105

Dear Mr. Nastri:

Attached please find a letter to the Federal Highway Administration (FHWA) from the Nevada Department of Transportation (NDOT) dated September 3, 2004 and the Administrative Draft FEIS regarding the Boulder City/U.S. 93 Corridor Study. Through the attached letter, NDOT is requesting that FHWA formally seek concurrence from the Environmental Protection Agency (EPA) that Alternative D of the aforementioned study is the Least Environmentally Damaging Practicable Alternative (LEDPA).

In a letter to the EPA dated February 11, 2004, FHWA, in cooperation with NDOT, proposed modifications to the preferred alternative for the Boulder City/US93 project that would avoid all impacts to jurisdictional waters of the U.S. EPA replied on April 7, 2004 with the understanding that an Individual Permit was no longer required for the project due to the avoidance of jurisdictional waters. In a letter to FHWA dated May 7, 2004, NDOT clarified that they do not support the modified Alternative D; thus the project requires a LEDPA determination to obtain an Individual Permit under Section 404(b)(1) of the Clean Water Act. To date, informal discussions among FHWA, NDOT, and EPA have not been successful in resolving this issue. Therefore, based on the information presented in the Administrative Draft FEIS and the additional analysis presented by NDOT in the attached letter, we request the EPA's concurrence that Alternative D is the LEDPA.

2

We would appreciate your timely review of the attached materials and a response to our request by October 22, 2004. Please contact Mr. Ted Bendure of my staff at (775) 687-5322 if you have any questions or need clarification.

Sincerely yours,

/s/ Susan Klekar

Susan Klekar
Division Administrator

Enclosure:

cc: Ms. Christine Johnson, FHWA
Mr. Jeff Fontaine, NDOT
Mr. Grady McNure, USACE



KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

JEFFREY FONTAINE, P.E., Director

September 3, 2004

In Reply Refer to:

Susan Klekar
Nevada Division Administrator
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, NV 89701

Boulder City, NEPA, LEDPA, & FEIS

Dear Ms. Klekar:

The Federal Highway Administration (FHWA) and Nevada Department of Transportation (NDOT) began the NEPA process for the Boulder City/US93 Corridor in February 2000. The agencies published for public comment the Draft Environmental Impact Statement (DEIS) in May 2002 and completed the draft Final Environmental Impact Statement (FEIS) in December 2002. However, the agencies have been unable to publish the FEIS and reach a Record of Decision because the Environmental Protection Agency (EPA), Region IX, Federal Activities Office, has indicated that the Preferred Alternative D is not the Least Environmentally Damaging Practicable Alternative (LEDPA).

In a letter to the EPA dated February 11, 2004, FHWA, in cooperation with NDOT, proposed modifications to the preferred alternative for the Boulder City/US93 project. The Preferred Alternative D - Elevated Profile included seven new bridges and avoided all impacts to jurisdictional Waters of the U.S. (WUS). On April 7, 2004, EPA replied with the understanding that an Individual Permit was no longer required for the project due to the avoidance of jurisdictional waters. EPA expressed remaining concerns that Alternative D is not the environmentally preferred alternative, specifically regarding potential adverse impacts to water quality and Desert Bighorn Sheep. In a letter to your office dated May 7, 2004, we clarified that we do not support an Elevated Profile Alternative; thus the project still requires a LEDPA determination to obtain an Individual Permit under Section 404 of the Clean Water Act (CWA). Subsequent discussions among FHWA, NDOT, and EPA have not been successful in informally resolving the LEDPA issue. Therefore, we are asking FHWA to officially request a LEDPA concurrence from the EPA on Alternative D.

It is our understanding that, according to Section 404 guidelines, projects involving several alternatives require an analysis of the alternatives to determine which is the LEDPA. Generally, this is the practicable alternative that either avoids WUS or impacts the smallest areas of waters, but exceptions can occur as a result of the alternatives analysis process. We further understand that the EPA and the U.S. Army Corps of Engineers (USACE) are to consider a wide range of environmental factors, such as Section 4(f) and Section 106 resources as well as community impacts, to determine which alternative would result in the *least overall environmental harm*. In addition, CWA Section 404 (b)(1) guidelines clearly afford flexibility to

make regulatory decisions based on the relative severity of the impacts on aquatic ecosystems posed by specific dredged or fill material discharge activities. Based on our understanding of the information and analysis required to make a LEDPA determination, this letter will:

- Address the relevance of the Section 404 (b)(1) flexibility guidelines in making a LEDPA determination for the proposed project,
- Review the determination of the Preferred Alternative based on consideration of environmental, social, and economic impacts,
- Specifically address potential adverse impacts to water quality and wildlife – the two primary areas of concern outlined in EPA’s letter dated April 7, 2004, and
- Review the LEDPA analysis presented in the draft FEIS including a discussion of the practicability of the different alternatives.

Section 404 (b)(1) Flexibility Guidelines

40 CFR 230 provides guidelines for compliance with Section 404(b)(1) of the CWA. These guidelines afford flexibility to make regulatory decisions based on the relative severity of the impacts on the aquatic ecosystems and recognize that the level of alternatives analysis required may vary with the nature and complexity of each individual case. The introduction to Section 230.10(a) states:

“Although all requirements in 230.10 must be met, the compliance evaluation procedures will vary to reflect the seriousness of the potential for adverse impacts on the aquatic ecosystems posed by specific dredged or fill material discharge activities.”

Impacts to jurisdictional WUS would be greater for Alternative D than for Alternatives B and C. Operational impacts to WUS are 1.70 acres for Alt. B, 1.73 acres for Alt. C, and 4.84 acres for Alt. D. In light of the 40 CFR 230.10 guidelines, we present the following information for your consideration:

- The drainages crossed are ephemeral desert washes in which there is approximately 3.25 to 3.30 inches of rainfall per a 100-yr six-hour storm event. Annual precipitation is approximately 5.8 inches.
- Approximately half of average annual rainfall occurs during the warm season when torrential rains typically cause arroyo flow. Therefore, runoff events are even less frequent than the annual average total of 5.8 inches would imply. These ephemeral desert washes are dry in all except the most pronounced storm events.
- Field surveys determined that no hydrophytic (water-dependent) vegetation or hydric soils occur in the desert washes in the vicinity of the proposed alternative alignments; therefore, construction of Alternative D, or any of the other build alternatives, *has no direct impact to any aquatic ecosystems*.
- The primary hydrologic function associated with these ephemeral washes is the conveyance of runoff. This function would be maintained by the hydraulic design of wash crossings for all alternatives. Some of the larger washes may also provide an important habitat function in the form of movement corridors for Desert Bighorn Sheep, which will be addressed below.

- These washes are in part, incised into permeable alluvium with moderate to high infiltration capacity. Therefore any water that they do carry reaches the Colorado River or Lake Mead (over 3 miles away from Alternative D) infrequently.
- Any indirect impact from the implementation of Alternative D, or any of the other build alternatives, would be an immeasurable and indirect impact to the aquatic ecosystems of Lake Mead or the Colorado River.

The EPA and USACE Memorandum to the Field titled *Appropriate Level of Analysis Required for Evaluating Compliance with the Section 404 (b)(1) Guidelines Alternatives Requirements* states that "Although sufficient information must be developed to determine whether the proposed activity is in fact the least damaging practicable alternative, the Guidelines do not require an elaborate search for practicable alternatives if it is reasonably anticipated that there are only minor differences between the environmental impacts of the proposed activity and potentially practicable alternatives. This decision will be made after consideration of resource agency comments on the proposed project. *It often makes sense to examine first whether potential alternatives would result in no identifiable or discernible difference in impact on the aquatic ecosystem* [emphasis added]. Those alternatives that do not may be eliminated from the analysis since Section 230.10(a) of the Guidelines only prohibits discharges when a practicable alternative exists which would have less adverse impact on the aquatic ecosystem..."

As presented above, there would be *no adverse impacts to aquatic ecosystems resulting from the construction of any of the proposed alternatives*; therefore, after consideration of all potential environmental impacts to the natural and human environment associated with the different alternatives, it is reasonable to select Alternative D as the LEDPA.

Determination of the Preferred Alternative

During the course of the Boulder City/US93 Corridor study, NDOT conducted over 200 coordination meetings with project stakeholders including federal and local agencies such as EPA, Nevada Department of Wildlife (NDOW), United States Army Corps of Engineers (USACE), National Park Service (NPS), Bureau of Reclamation (BOR), State Historic Preservation Office (SHPO), FHWA, Western Area Power Association (WAPA), Boulder City, Clark County, and the City of Henderson. NDOT completed 14 technical studies, including the DEIS and draft FEIS, which have been reviewed and commented on by these same stakeholders. NDOT held numerous public meetings including an agency scoping meeting, a public and agency chartering meeting, Community Working Group meetings, DEIS review meeting, and presentations to stakeholder groups. This effort during the last 4 1/2 years has resulted in a thorough, collaborative study that followed the NEPA guidelines in determining the preferred alternative based on the analysis of the social, economic, and environmental impacts of the proposed project alternatives.

The process and considerations involved in the selection of Alternative D as the Preferred Alternative is described in detail in section 2.8 of the draft FEIS. The multi-agency project management team (PMT) evaluated Alternatives B, C, and D, and the No Build Alternative relative to social, environmental, and economic impacts in making an overall determination of the Preferred Alternative. Although impacts to the natural environment from the implementation of Alternative D will be greater than those resulting from implementation of any of the other build alternatives or the No Build Alternative, the PMT identified Alternative D as the Preferred Alternative because (1) it meets the project purpose and need and (2) it has the least impact to

those environmental components that directly determine the quality of the human environment. Section 2.8 of the draft FEIS presents a summary of the advantages of Alternative D, relative to the other alternatives, including the following:

- Alternative D meets the Purpose and Need of the project.
- Alternative D will enhance the quality of life for the residents of Boulder City by, among other things,
 - Substantially reducing heavy through-town traffic,
 - Improving safety by lowering the number of vehicles on U.S. 93 through Boulder City,
 - Improving air quality along the existing U.S. 93 roadway through the City,
 - Having the least noise impacts on the residents of Boulder City,
 - Avoiding the segmentation of the community that a through-town or near-town alternative may cause, and
 - Minimizing disruption of the existing corridor, and disruption within the community, during construction (this also affects the logistical feasibility of an alternative; see below).
- Implementation of this alternative would result in the least visual impacts to Boulder City compared to the other build alternatives.
- Public comments indicate a broad public acceptance of Alternative D and substantive concerns regarding impacts to the City from the other alternatives.

Construction of Alternative B or C would result in greater community disruption, relative to Alternative D, including increased traffic, noise, degradation of local air quality, segmentation of the community, and detracting from the visual and social context of Boulder City. In addition, construction of either Alternative B or C would impact a larger number of potentially eligible cultural resources than would Alternative D, largely due to the historic nature of Boulder City. These adverse impacts would permanently affect the small town ambiance of this historic community, which the City has worked hard to preserve despite external growth pressures. Numerous public comments (see Volume II of draft FEIS) express the view that either Alternative B or C would divide Boulder City in half and forever change the small-town atmosphere that many residents moved there to acquire.

Impacts to natural resources would be greater for Alternative D because it does not follow a pre-existing roadway to the extent of Alternatives B and C. In a letter to FHWA dated April 7, 2004, EPA expressed concern that Alternative D is not the environmentally preferred alternative. EPA outlined specific concerns related to (1) potential adverse impacts to water quality associated with the cut and fill needed for the mountain crossings and the potential to accelerate erosion in the area and (2) potential adverse impacts on Desert Bighorn Sheep related to the additional fragmentation of the Eldorado Mountain Range. We recognize these concerns and are committed to addressing potential environmental impacts associated with Alternative D.

Water Quality

As outlined in section 4.5.1 the draft FEIS, Alternative D has the greatest total length of steep grades (associated with cut and fill slopes) and therefore would have the greatest potential for erosion of the three build alternatives. NDOT is committed to developing the appropriate permanent and temporary erosion control measures to include with the final project. The final engineering design will minimize the impacts on the natural terrain and the hydraulic designs

will be completed in a manner to avoid or minimize concentrated erosive flows to cut and fill sections. NDOT's standard practice for permanent erosion control includes measures such as use of soil stabilizers, gravel mulch, riprap, or re-vegetation. The project would require a National Pollutant Discharge Elimination System (NPDES) permit from the Nevada Division of Environmental Protection (NDEP), to outline requirements for monitoring and maintaining water quality in surface runoff to the affected environment. Project inspection for compliance will be required as a condition of this permit. As part of the NPDES permit requirements, a Storm Water Pollution Prevention Plan (SWPPP) will be developed prior to filing a Notice of Intent with NDEP. Temporary erosion and sediment control plans will utilize appropriate Best Management Practices (BMPs) recommended in the State of Nevada's Handbook of BMPs and the South Valley Area 208 Water Quality Management Plan. Coordination with the NPS regarding the final appearance of any cut and fill sections within the Lake Mead National Recreation Area will also take place during final design.

It should be noted that the most rapid discharge of stormwater to receiving waters (Lake Mead and/or the Colorado River) potentially poses the greatest risk in terms of water quality degradation. Alternatives B and C have the same travel times and would have identical potential water quality effects on downstream receiving waters. The average time to reach the receiving water for both Alternatives B and C wash crossings is 3.5 minutes shorter than the average time for the Alternative D wash crossings. This is partially attributed to the fact that the Alternatives B and C drainages are shorter in distance to the receiving waters than those of Alternative D. Although the average construction slopes are steeper for Alternative D, larger average channel width and natural composition help in slowing down the average stormwater flows (Alternatives B and C contain some concrete channel drainages). Therefore, because Alternatives B and C retain runoff a shorter time from the receiving water, the two alternatives would have a slightly greater negative impact to surface water quality.

Wildlife

Desert Bighorn Sheep habitat is restricted to the area near Railroad pass, and farther west in areas north of the Boulder City Rifle and Pistol Club. Impacts to bighorn sheep habitat would be greater from the construction of Alternative D than the other build alternatives due to its crossing of habitat in the Eldorado Ridge area. However, all alternatives, including the No Action Alternative, contribute to the restriction of sheep migration between isolated desert mountain ranges (the River Mountains in the north, and the McCullough Range and Eldorado Mountains in the south).

As part of on-going consultation with the Nevada Department of Wildlife (NDOW) several bighorn sheep crossings have been identified and preliminary evaluation of these areas have begun. Prior to final design and implementation of mitigation measures, including bighorn sheep crossings, the highway section occurring in sheep habitat will be walked with NDOW, NPS, NDOT and consulting biologists to evaluate and select specific crossing locations and any undercrossing/overpass designs to be utilized. Appropriate fencing to encourage use of crossing structures and prevent bighorn sheep access to the highway will also be determined in consultation with NDOW. The most current and past agency data specific to Eldorado Mountain bighorn sheep populations, as well as on-the-ground field data and observations, will be evaluated and utilized in the selection of crossing sites.

Alternative D traverses desert tortoise habitat along its entire course, although between U.S. 95 and Buchanan Boulevard sandy soils and lack of tortoise sign indicate that this segment is of very low quality habitat for tortoise. The Paiute-Eldorado Valley Desert Tortoise Conservation Area is located about 18 miles to the south of Alternative D's most southern boundary. This preserve land was specifically purchased as part of efforts to maintain important, suitable habitat for this species within the Eldorado Valley. Specific measures to mitigate impacts to desert tortoise will be implemented as stipulated in the United States Fish and Wildlife Service (USFWS) issued Biological Opinion (BO) developed through the Section 7 consultation process.

In summary, although implementation of Alternative D will result in some impacts to the natural environment that are greater than Alternatives B and C, or the No Build Alternative, the PMT determined that Alternative D is the Preferred Alternative based on consideration of the full range of potential impacts to both the natural and human environment as well as overall transportation safety and efficiency and ability to meet project Purpose and Need.

LEDPA Determination

Discussion of the LEDPA determination is presented in section 4.6.4 of the draft FEIS. The LEDPA is identified in light of overall environmental impacts *and* its practicability. An overview of the environmental impacts associated with the different alternatives has been provided above. "Practicable" is defined in 40CFR230.3(q) as ".... available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes." The practicability of a given alternative is assessed in light of its capacity to meet the overall purpose of the project. The purpose of this project is to achieve the following objectives:

- Resolve traffic problems in the vicinity of Boulder City
- Create a safer transportation corridor
- Accommodate future transportation demand
- Improve system linkage on U.S. 93

The overall practicability of each alternative is outlined in detail in the draft FEIS. In summary, construction of Alternatives B and C would be the most logistically challenging because they would be largely within the existing roadway corridor that would need to function as a transportation corridor during construction. This would be complicated by the proximity of the built-out portions of Boulder City to the construction. The rugged terrain in the eastern portion of Alternative D would present some logistical challenges; however, these could be met by conventional engineering measures. As discussed above and in the draft FEIS, Alternative D was identified by the PMT as the alternative that best meets project Purpose and Need. Alternative D is therefore the most feasible of the build alternatives in terms of logistics and overall project purpose.

Finally, Section 408.397 of the Nevada Revised Statute (NRS) – Procedure for Diversion or Change of Route of Highway – states that the [NDOT] director may change or divert a route, but:

1. The highway must not be changed or diverted to exclude any city or town unless the consent of the governing body of that city or town has been obtained; and
2. The director shall submit a plan of the proposed change to the State Board, which must be approved by the State Board before action is taken to effect the change.

Because all three of the build alternatives fall within the jurisdiction of Boulder City, the City of Henderson, and Clark County. NRS 408.397 requires approval from each of these jurisdictions before any action is taken.

In June 1999, the City voters passed an initiative by a vote of 61.3% in support of an alternative south of the Boulder City Municipal Airport. In an independent polling of 760 Boulder City business licensees by the Chamber of Commerce in March 2002, the negative impacts of Alternatives B and C were recognized in the overwhelming support expressed for Alternative D (76% in favor). Public comments on the DEIS also show favor (70%) for Alternative D and concern regarding the community disruption that would result from Alternatives B or C. Thus, from a practicability standpoint, it is highly unlikely that NDOT would obtain the consent of Boulder City, the City of Henderson, and Clark County to construct Alternatives B or C, given the level of public opposition to either of these through-town alternatives.

NDOT, FHWA, and EPA Coordination


Pursuant to the NEPA, Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act, EPA provided comments on the DEIS for the Boulder City/U.S. 93 Corridor Study in an letter to NDOT dated May 10, 2002. In this letter, EPA described the DEIS as, overall, "...a well prepared document that clearly describes the projected impacts of the proposed project." EPA identified several environmental impacts of concern that should be more thoroughly described and mitigated in the FEIS; however, EPA did not suggest analysis of any additional alternatives. We have worked to address EPA's concerns in the FEIS. Because there have been no major changes with regard to the proposed project, we feel it is unproductive for EPA staff to recommend study of additional alternatives at this late stage in the NEPA process. A combination of public involvement, agency scoping meetings, preliminary engineering, and environmental baseline analysis efforts produced 40 alignments that were evaluated during the early stages of the Boulder City/U.S. 93 Corridor Study. These alternatives, which included alignments further west of the proposed Alternative D were screened based on key engineering, environmental, and economic factors developed by the PMT based on public input and agency scoping meetings. A detailed description of the alternatives screening process is presented in the draft FEIS.

In summary, although implementation of Alternative D will result in impacts to the natural environment that are greater than Alternatives B and C, or the No Build Alternative, We determined that Alternative D is the Preferred Alternative based on consideration of the full range of potential impacts to both the natural and human environment as well as overall transportation safety and efficiency and the ability to meet project Purpose and Need. Alternative D has greatest impacts to jurisdictional WUS, but for CWA Section 404 (b)(1) purposes, the other alternatives are not as practicable due to the reasons detailed in the draft FEIS and primarily related to their capacity to meet project purposes and their logistical feasibility. Furthermore, the Section 404 (b)(1) guidelines afford flexibility to make regulatory decisions based on the relative severity of the impacts on the aquatic ecosystems and recognize that the level of alternatives analysis required may vary with the nature and complexity of each individual case. It is therefore the position of NDOT that Alternative D is the LEDPA.

NDOT takes great pride in its environmental stewardship and we have been recognized nationally for our efforts. We have made substantial investments in protecting the environment

and the Boulder City/US93 corridor project would be no exception. We appreciate your continued support in the development of the Boulder City/US93 EIS, and look forward to a timely Record of Decision.

Sincerely,


Jeffrey Fontaine, P.E.
Director

HV/JF/sv

Cc: Susan Martinovich, Deputy Director
Ruedy Edgington, Asst. Director Engineering
Rudy Malfabon, Deputy Director, So. Nevada
Scott Rawlins, Project Manager
Daryl James, Chief, Environmental Services



KENNY C. GUINN
Governor

DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

September 3, 2004

RECEIVED

JEFFREY FONTAINE, PE., Director
FHWA
Nevada Division
In Reply Refer to:

Susan Klekar
Nevada Division Administrator
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, NV 89701

Boulder City, NEPA, LEDPA, & FEIS

Dear Ms. Klekar:

The Federal Highway Administration (FHWA) and Nevada Department of Transportation (NDOT) began the NEPA process for the Boulder City/US93 Corridor in February 2000. The agencies published for public comment the Draft Environmental Impact Statement (DEIS) in May 2002 and completed the draft Final Environmental Impact Statement (FEIS) in December 2002. However, the agencies have been unable to publish the FEIS and reach a Record of Decision because the Environmental Protection Agency (EPA), Region IX, Federal Activities Office, has indicated that the Preferred Alternative D is not the Least Environmentally Damaging Practicable Alternative (LEDPA).

In a letter to the EPA dated February 11, 2004, FHWA, in cooperation with NDOT, proposed modifications to the preferred alternative for the Boulder City/US93 project. The Preferred Alternative D - Elevated Profile included seven new bridges and avoided all impacts to jurisdictional Waters of the U.S. (WUS). On April 7, 2004, EPA replied with the understanding that an Individual Permit was no longer required for the project due to the avoidance of jurisdictional waters. EPA expressed remaining concerns that Alternative D is not the environmentally preferred alternative, specifically regarding potential adverse impacts to water quality and Desert Bighorn Sheep. In a letter to your office dated May 7, 2004, we clarified that we do not support an Elevated Profile Alternative; thus the project still requires a LEDPA determination to obtain an Individual Permit under Section 404 of the Clean Water Act (CWA). Subsequent discussions among FHWA, NDOT, and EPA have not been successful in informally resolving the LEDPA issue. Therefore, we are asking FHWA to officially request a LEDPA concurrence from the EPA on Alternative D.

It is our understanding that, according to Section 404 guidelines, projects involving several alternatives require an analysis of the alternatives to determine which is the LEDPA. Generally, this is the practicable alternative that either avoids WUS or impacts the smallest areas of waters, but exceptions can occur as a result of the alternatives analysis process. We understand that the EPA and the U.S. Army Corps of Engineers (USACE) are to compare a range of environmental factors, such as Section 4(f) and Section 106 resources, community impacts, to determine which alternative would result in the least environmental harm. In addition, CWA Section 404 (b)(1) guidelines clearly afford the

make regulatory decisions based on the relative severity of the impacts on aquatic ecosystems posed by specific dredged or fill material discharge activities. Based on our understanding of the information and analysis required to make a LEDPA determination, this letter will:

- Address the relevance of the Section 404 (b)(1) flexibility guidelines in making a LEDPA determination for the proposed project,
- Review the determination of the Preferred Alternative based on consideration of environmental, social, and economic impacts,
- Specifically address potential adverse impacts to water quality and wildlife – the two primary areas of concern outlined in EPA's letter dated April 7, 2004, and
- Review the LEDPA analysis presented in the draft FEIS including a discussion of the practicability of the different alternatives.

Section 404 (b)(1) Flexibility Guidelines

40 CFR 230 provides guidelines for compliance with Section 404(b)(1) of the CWA. These guidelines afford flexibility to make regulatory decisions based on the relative severity of the impacts on the aquatic ecosystems and recognize that the level of alternatives analysis required may vary with the nature and complexity of each individual case. The introduction to Section 230.10(a) states:

“Although all requirements in 230.10 must be met, the compliance evaluation procedures will vary to reflect the seriousness of the potential for adverse impacts on the aquatic ecosystems posed by specific dredged or fill material discharge activities.”

Impacts to jurisdictional WUS would be greater for Alternative D than for Alternatives B and C. Operational impacts to WUS are 1.70 acres for Alt. B, 1.73 acres for Alt. C, and 4.84 acres for Alt. D. In light of the 40 CFR 230.10 guidelines, we present the following information for your consideration:

- The drainages crossed are ephemeral desert washes in which there is approximately 3.25 to 3.30 inches of rainfall per a 100-yr six-hour storm event. Annual precipitation is approximately 5.8 inches.
- Approximately half of average annual rainfall occurs during the warm season when torrential rains typically cause arroyo flow. Therefore, runoff events are even less frequent than the annual average total of 5.8 inches would imply. These ephemeral desert washes are dry in all except the most pronounced storm events.
- Field surveys determined that no hydrophytic (water-dependent) vegetation or hydric soils occur in the desert washes in the vicinity of the proposed alternative alignments; therefore, construction of Alternative D, or any of the other build alternatives, *has no direct impact to any aquatic ecosystems*.
- The primary hydrologic function associated with these ephemeral washes is the conveyance of runoff. This function would be maintained by the hydraulic design of wash crossings for all alternatives. Some of the larger washes may also provide an important habitat function in the form of movement corridors for Desert Bighorn Sheep, which will be addressed below.

- These washes are in part, incised into permeable alluvium with moderate to high infiltration capacity. Therefore any water that they do carry reaches the Colorado River or Lake Mead (over 3 miles away from Alternative D) infrequently.
- Any indirect impact from the implementation of Alternative D, or any of the other build alternatives, would be an immeasurable and indirect impact to the aquatic ecosystems of Lake Mead or the Colorado River.

The EPA and USACE Memorandum to the Field titled *Appropriate Level of Analysis Required for Evaluating Compliance with the Section 404 (b)(1) Guidelines Alternatives Requirements* states that "Although sufficient information must be developed to determine whether the proposed activity is in fact the least damaging practicable alternative, the Guidelines do not require an elaborate search for practicable alternatives if it is reasonably anticipated that there are only minor differences between the environmental impacts of the proposed activity and potentially practicable alternatives. This decision will be made after consideration of resource agency comments on the proposed project. *It often makes sense to examine first whether potential alternatives would result in no identifiable or discernible difference in impact on the aquatic ecosystem* [emphasis added]. Those alternatives that do not may be eliminated from the analysis since Section 230.10(a) of the Guidelines only prohibits discharges when a practicable alternative exists which would have less adverse impact on the aquatic ecosystem..."

As presented above, there would be *no adverse impacts to aquatic ecosystems resulting from the construction of any of the proposed alternatives*; therefore, after consideration of all potential environmental impacts to the natural and human environment associated with the different alternatives, it is reasonable to select Alternative D as the LEDPA.

Determination of the Preferred Alternative

During the course of the Boulder City/US93 Corridor study, NDOT conducted over 200 coordination meetings with project stakeholders including federal and local agencies such as EPA, Nevada Department of Wildlife (NDOW), United States Army Corps of Engineers (USACE), National Park Service (NPS), Bureau of Reclamation (BOR), State Historic Preservation Office (SHPO), FHWA, Western Area Power Association (WAPA), Boulder City, Clark County, and the City of Henderson. NDOT completed 14 technical studies, including the DEIS and draft FEIS, which have been reviewed and commented on by these same stakeholders. NDOT held numerous public meetings including an agency scoping meeting, a public and agency chartering meeting, Community Working Group meetings, DEIS review meeting, and presentations to stakeholder groups. This effort during the last 4 1/2 years has resulted in a thorough, collaborative study that followed the NEPA guidelines in determining the preferred alternative based on the analysis of the social, economic, and environmental impacts of the proposed project alternatives.

The process and considerations involved in the selection of Alternative D as the Preferred Alternative is described in detail in section 2.8 of the draft FEIS. The multi-agency project management team (PMT) evaluated Alternatives B, C, and D, and the No Build Alternative relative to social, environmental, and economic impacts in making an overall determination of the Preferred Alternative. Although impacts to the natural environment from the implementation of Alternative D will be greater than those resulting from implementation of any of the other build alternatives or the No Build Alternative, the PMT identified Alternative D as the Preferred Alternative because (1) it meets the project purpose and need and (2) it has the least impact to

those environmental components that directly determine the quality of the human environment. Section 2.8 of the draft FEIS presents a summary of the advantages of Alternative D, relative to the other alternatives, including the following:

- Alternative D meets the Purpose and Need of the project.
- Alternative D will enhance the quality of life for the residents of Boulder City by, among other things,
 - Substantially reducing heavy through-town traffic,
 - Improving safety by lowering the number of vehicles on U.S. 93 through Boulder City,
 - Improving air quality along the existing U.S. 93 roadway through the City,
 - Having the least noise impacts on the residents of Boulder City,
 - Avoiding the segmentation of the community that a through-town or near-town alternative may cause, and
 - Minimizing disruption of the existing corridor, and disruption within the community, during construction (this also affects the logistical feasibility of an alternative; see below).
- Implementation of this alternative would result in the least visual impacts to Boulder City compared to the other build alternatives.
- Public comments indicate a broad public acceptance of Alternative D and substantive concerns regarding impacts to the City from the other alternatives.

Construction of Alternative B or C would result in greater community disruption, relative to Alternative D, including increased traffic, noise, degradation of local air quality, segmentation of the community, and detracting from the visual and social context of Boulder City. In addition, construction of either Alternative B or C would impact a larger number of potentially eligible cultural resources than would Alternative D, largely due to the historic nature of Boulder City. These adverse impacts would permanently affect the small town ambiance of this historic community, which the City has worked hard to preserve despite external growth pressures. Numerous public comments (see Volume II of draft FEIS) express the view that either Alternative B or C would divide Boulder City in half and forever change the small-town atmosphere that many residents moved there to acquire.

Impacts to natural resources would be greater for Alternative D because it does not follow a pre-existing roadway to the extent of Alternatives B and C. In a letter to FHWA dated April 7, 2004, EPA expressed concern that Alternative D is not the environmentally preferred alternative. EPA outlined specific concerns related to (1) potential adverse impacts to water quality associated with the cut and fill needed for the mountain crossings and the potential to accelerate erosion in the area and (2) potential adverse impacts on Desert Bighorn Sheep related to the additional fragmentation of the Eldorado Mountain Range. We recognize these concerns and are committed to addressing potential environmental impacts associated with Alternative D.

Water Quality

As outlined in section 4.5.1 the draft FEIS, Alternative D has the greatest total length of steep grades (associated with cut and fill slopes) and therefore would have the greatest potential for erosion of the three build alternatives. NDOT is committed to developing the appropriate permanent and temporary erosion control measures to include with the final project. The final engineering design will minimize the impacts on the natural terrain and the hydraulic designs

will be completed in a manner to avoid or minimize concentrated erosive flows to cut and fill sections. NDOT's standard practice for permanent erosion control includes measures such as use of soil stabilizers, gravel mulch, riprap, or re-vegetation. The project would require a National Pollutant Discharge Elimination System (NPDES) permit from the Nevada Division of Environmental Protection (NDEP), to outline requirements for monitoring and maintaining water quality in surface runoff to the affected environment. Project inspection for compliance will be required as a condition of this permit. As part of the NPDES permit requirements, a Storm Water Pollution Prevention Plan (SWPPP) will be developed prior to filing a Notice of Intent with NDEP. Temporary erosion and sediment control plans will utilize appropriate Best Management Practices (BMPs) recommended in the State of Nevada's Handbook of BMPs and the South Valley Area 208 Water Quality Management Plan. Coordination with the NPS regarding the final appearance of any cut and fill sections within the Lake Mead National Recreation Area will also take place during final design.

It should be noted that the most rapid discharge of stormwater to receiving waters (Lake Mead and/or the Colorado River) potentially poses the greatest risk in terms of water quality degradation. Alternatives B and C have the same travel times and would have identical potential water quality effects on downstream receiving waters. The average time to reach the receiving water for both Alternatives B and C wash crossings is 3.5 minutes shorter than the average time for the Alternative D wash crossings. This is partially attributed to the fact that the Alternatives B and C drainages are shorter in distance to the receiving waters than those of Alternative D. Although the average construction slopes are steeper for Alternative D, larger average channel width and natural composition help in slowing down the average stormwater flows (Alternatives B and C contain some concrete channel drainages). Therefore, because Alternatives B and C retain runoff a shorter time from the receiving water, the two alternatives would have a slightly greater negative impact to surface water quality.

Wildlife

Desert Bighorn Sheep habitat is restricted to the area near Railroad pass, and farther west in areas north of the Boulder City Rifle and Pistol Club. Impacts to bighorn sheep habitat would be greater from the construction of Alternative D than the other build alternatives due to its crossing of habitat in the Eldorado Ridge area. However, all alternatives, including the No Action Alternative, contribute to the restriction of sheep migration between isolated desert mountain ranges (the River Mountains in the north, and the McCullough Range and Eldorado Mountains in the south).

As part of on-going consultation with the Nevada Department of Wildlife (NDOW) several bighorn sheep crossings have been identified and preliminary evaluation of these areas have begun. Prior to final design and implementation of mitigation measures, including bighorn sheep crossings, the highway section occurring in sheep habitat will be walked with NDOW, NPS, NDOT and consulting biologists to evaluate and select specific crossing locations and any undercrossing/overpass designs to be utilized. Appropriate fencing to encourage use of crossing structures and prevent bighorn sheep access to the highway will also be determined in consultation with NDOW. The most current and past agency data specific to Eldorado Mountain bighorn sheep populations, as well as on-the-ground field data and observations, will be evaluated and utilized in the selection of crossing sites.

Alternative D traverses desert tortoise habitat along its entire course, although between U.S. 95 and Buchanan Boulevard sandy soils and lack of tortoise sign indicate that this segment is of very low quality habitat for tortoise. The Paiute-Eldorado Valley Desert Tortoise Conservation Area is located about 18 miles to the south of Alternative D's most southern boundary. This preserve land was specifically purchased as part of efforts to maintain important, suitable habitat for this species within the Eldorado Valley. Specific measures to mitigate impacts to desert tortoise will be implemented as stipulated in the United States Fish and Wildlife Service (USFWS) issued Biological Opinion (BO) developed through the Section 7 consultation process.

In summary, although implementation of Alternative D will result in some impacts to the natural environment that are greater than Alternatives B and C, or the No Build Alternative, the PMT determined that Alternative D is the Preferred Alternative based on consideration of the full range of potential impacts to both the natural and human environment as well as overall transportation safety and efficiency and ability to meet project Purpose and Need.

LEDPA Determination

Discussion of the LEDPA determination is presented in section 4.6.4 of the draft FEIS. The LEDPA is identified in light of overall environmental impacts *and* its practicability. An overview of the environmental impacts associated with the different alternatives has been provided above. "Practicable" is defined in 40CFR230.3(q) as ".... available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes." The practicability of a given alternative is assessed in light of its capacity to meet the overall purpose of the project. The purpose of this project is to achieve the following objectives:

- Resolve traffic problems in the vicinity of Boulder City
- Create a safer transportation corridor
- Accommodate future transportation demand
- Improve system linkage on U.S. 93

The overall practicability of each alternative is outlined in detail in the draft FEIS. In summary, construction of Alternatives B and C would be the most logistically challenging because they would be largely within the existing roadway corridor that would need to function as a transportation corridor during construction. This would be complicated by the proximity of the built-out portions of Boulder City to the construction. The rugged terrain in the eastern portion of Alternative D would present some logistical challenges; however, these could be met by conventional engineering measures. As discussed above and in the draft FEIS, Alternative D was identified by the PMT as the alternative that best meets project Purpose and Need. Alternative D is therefore the most feasible of the build alternatives in terms of logistics and overall project purpose.

Finally, Section 408.397 of the Nevada Revised Statute (NRS) – Procedure for Diversion or Change of Route of Highway – states that the [NDOT] director may change or divert a route, but:

1. The highway must not be changed or diverted to exclude any city or town unless the consent of the governing body of that city or town has been obtained; and
2. The director shall submit a plan of the proposed change to the State Board, which must be approved by the State Board before action is taken to effect the change.

Because all three of the build alternatives fall within the jurisdiction of Boulder City, the City of Henderson, and Clark County. NRS 408.397 requires approval from each of these jurisdictions before any action is taken.

In June 1999, the City voters passed an initiative by a vote of 61.3% in support of an alternative south of the Boulder City Municipal Airport. In an independent polling of 760 Boulder City business licensees by the Chamber of Commerce in March 2002, the negative impacts of Alternatives B and C were recognized in the overwhelming support expressed for Alternative D (76% in favor). Public comments on the DEIS also show favor (70%) for Alternative D and concern regarding the community disruption that would result from Alternatives B or C. Thus, from a practicability standpoint, it is highly unlikely that NDOT would obtain the consent of Boulder City, the City of Henderson, and Clark County to construct Alternatives B or C, given the level of public opposition to either of these through-town alternatives.

NDOT, FHWA, and EPA Coordination


Pursuant to the NEPA, Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act, EPA provided comments on the DEIS for the Boulder City/U.S. 93 Corridor Study in a letter to NDOT dated May 10, 2002. In this letter, EPA described the DEIS as, overall, "...a well prepared document that clearly describes the projected impacts of the proposed project." EPA identified several environmental impacts of concern that should be more thoroughly described and mitigated in the FEIS; however, EPA did not suggest analysis of any additional alternatives. We have worked to address EPA's concerns in the FEIS. Because there have been no major changes with regard to the proposed project, we feel it is unproductive for EPA staff to recommend study of additional alternatives at this late stage in the NEPA process. A combination of public involvement, agency scoping meetings, preliminary engineering, and environmental baseline analysis efforts produced 40 alignments that were evaluated during the early stages of the Boulder City/U.S. 93 Corridor Study. These alternatives, which included alignments further west of the proposed Alternative D were screened based on key engineering, environmental, and economic factors developed by the PMT based on public input and agency scoping meetings. A detailed description of the alternatives screening process is presented in the draft FEIS.

In summary, although implementation of Alternative D will result in impacts to the natural environment that are greater than Alternatives B and C, or the No Build Alternative, We determined that Alternative D is the Preferred Alternative based on consideration of the full range of potential impacts to both the natural and human environment as well as overall transportation safety and efficiency and the ability to meet project Purpose and Need. Alternative D has greatest impacts to jurisdictional WUS, but for CWA Section 404 (b)(1) purposes, the other alternatives are not as practicable due to the reasons detailed in the draft FEIS and primarily related to their capacity to meet project purposes and their logistical feasibility. Furthermore, the Section 404 (b)(1) guidelines afford flexibility to make regulatory decisions based on the relative severity of the impacts on the aquatic ecosystems and recognize that the level of alternatives analysis required may vary with the nature and complexity of each individual case. It is therefore the position of NDOT that Alternative D is the LEDPA.

NDOT takes great pride in its environmental stewardship and we have been recognized nationally for our efforts. We have made substantial investments in protecting the environment

and the Boulder City/US93 corridor project would be no exception. We appreciate your continued support in the development of the Boulder City/US93 EIS, and look forward to a timely Record of Decision.

Sincerely,


Jeffrey Fontaine, P.E.
Director

HV/JF/sv

Cc: Susan Martinovich, Deputy Director
Ruedy Edgington, Asst. Director Engineering
Rudy Malfabon, Deputy Director, So. Nevada
Scott Rawlins, Project Manager
Daryl James, Chief, Environmental Services

DATE	FWHA REVIEW	INITIALS
10/1	10/1	
10/2	10/2	
10/3	10/3	
10/4	10/4	
10/5	10/5	
10/6	10/6	
10/7	10/7	
10/8	10/8	
10/9	10/9	
10/10	10/10	
10/11	10/11	
10/12	10/12	
10/13	10/13	
10/14	10/14	
10/15	10/15	
10/16	10/16	
10/17	10/17	
10/18	10/18	
10/19	10/19	
10/20	10/20	
10/21	10/21	
10/22	10/22	
10/23	10/23	
10/24	10/24	
10/25	10/25	
10/26	10/26	
10/27	10/27	
10/28	10/28	
10/29	10/29	
10/30	10/30	
10/31	10/31	

✓ T & Safety
✓ Proj Dev
✓ Const & Bridge
✓ Perl & Mat'ls
✓ Env Program Mgmt
✓ Env Coordinator



City of Boulder City

401 CALIFORNIA AVENUE
BOULDER CITY, NEVADA 89005

Mailing Address
P.O. BOX 61350
BOULDER CITY, NEVADA 89006-1350

June 15, 2004

The Honorable Senator Harry Reid
300 Las Vegas Boulevard, South Suite 1610
Las Vegas, NV 89101-5812

Dear Senator Reid:

Thank you for giving me the opportunity to review the impacts of the Hoover Dam Bypass Bridge as it relates to the Boulder City Bypass Project. The Boulder City Bypass Project will require about 400 acres of City-owned land to be used in some 20 miles of highway right-of-way. An easement for the right-of-way within the City limits of Boulder City would be provided at no cost to show Boulder City's commitment to the project.

In 2001, CH2MHill estimated the value of this easement to be somewhere between 9 and 13 million dollars. A recent auction of BLM property near Henderson generated approximately \$287,000 per acre. This indicates that Boulder City feels a deep commitment to the proposed bypass around Boulder City.

Boulder City is committed to mitigating the impacts of the truck traffic which will occur when the bridge is complete and truck traffic is no longer routed through Laughlin.

Since the Hoover Dam Bridge Project will be completed in about three years, we are very anxious for the Boulder City Bypass Project to be completed within the shortest time period possible to reduce the affects of its increased traffic, particularly trucks, through Boulder City..

Thank you for your continued support of Boulder City, for your understanding of the issues concerning our residents, and your continued support of the Boulder City Bypass Project.

Best regards,

Bob Ferraro
Mayor



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-2901

April 7, 2004

Mr. Ted Bendure
Environmental Program Manager
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, NV 89701

OPTIONAL FORM NO. 10 (7-99)

FAX TRANSMITTAL

of pages 2

To	Michael	From	TED
Dept./Agency		Phone #	775-887-5322
Fax #	(702) 369-1107	Fax #	

NON PRECEDENCE

5010-101

GENERAL SERVICES ADMINISTRATION

RE: Boulder City/U.S. 93: Preferred Alternative D - Elevated Profile

Dear Mr. Bendure:

We are writing regarding the Federal Highway Administration's (FHWA) proposed modifications to the preferred alternative for the Boulder City/U.S. 93 project. The Preferred Alternative D - Elevated Profile alternative, which was proposed in March, 2004, will include seven new bridges and appears to have no direct impacts to waters of the U.S. With this avoidance of jurisdictional waters, it is our understanding that an Individual Permit is not required, nor is concurrence on the preferred alternative required from the Environmental Protection Agency (EPA), as stipulated under the National Environmental Policy Act/Clean Water Act Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU).

EPA remains concerned that Alternative D is not the environmentally preferred alternative. Specifically, we are concerned with potential adverse impacts to water quality associated with the cut and fill needed for the mountain crossings, and the potential to accelerate erosion in the area. Also, we are concerned with potential adverse impacts on Desert Bighorn Sheep related to the additional fragmentation of the El Dorado Mountain Range. EPA has the following recommendations on how to minimize indirect environmental impacts from Alternative D to water quality and wildlife. EPA urges FHWA to commit to these recommendations in the Final Environmental Impact Statement (FEIS) and in the Record of Decision:

Water Quality

The project will require a National Pollutant Discharge Elimination System permit, which will include provisions for the development and implementation of a storm water pollution prevention plan (SWPPP). The SWPPP will need to include sediment and erosion controls during construction, post-construction pollution controls, and other best management practices appropriate for this project. The SWPPP for Alternative D - Elevated Profile will need to reflect the fact that this alternative includes an increased number of bridges spanning the ephemeral washes in the area. We are particularly concerned with potential long-term water quality impacts resulting from sediment loading due to erosion from steep road cuts. EPA has the following recommendations:

- Provide a description of the soil stabilization methods proposed for the slope cuts and the success rate for these methods in the project study area.
- Describe and commit to a regular system of inspections, whereby erosion control measures are checked regularly for their effectiveness and are modified where they are found to be deficient. Identify the party responsible for these inspections.

Wildlife Crossings

All steps should be taken to ensure that the preferred alternative does not contribute to the declining health of the Bighorn Sheep population in the Boulder City area. EPA recommends that FHWA continue to work closely with the Nevada Department of Wildlife (NDOW) and to implement the mitigation measures outlined in NDOW's February 2000 letter. These recommendations include:

- Provide underpasses at wash locations that provide for ample width and height for wildlife crossing.
- Provide signage and a speed reduction zone to alert drivers to the potential of encountering wildlife.
- Identify areas for fencing to deny Bighorn Sheep access to the facility.

Thank you for including EPA in FHWA's environmental review for the Boulder City/U.S. 93 project. Please feel free to contact me if you have any questions, or you may contact Ms. Connell Dunning of my staff at 415- 947-4161 or dunning.connell@epa.gov. Please send two copies of the FEIS to my office at the address above (Mail Code: CMD-2) when it is publically available.

Sincerely,


Lisa B. Hanf, Manager
Federal Activities Office

cc: Patrick Cummings, Nevada Department of Wildlife
Brooks Carter, Army Corps of Engineers
Jon Palm, Nevada Division of Environmental Protection

OPTIONAL FORM 99 (7-99)

FAX TRANSMITTAL

of pages ▶ 1

To <i>Geoff Spaulding</i>	From <i>Ted Bendure</i>
Dept./Agency	Phone #
Fax # <i>702369-1107</i>	Fax #

NEN 7840-01-317-7368

8080-101

GENERAL SERVICES ADMINISTRATION

April 1, 2003

Ted P. Bendure
Environmental Program Manager
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, NV 89701

RE: *Construction, US 93 Corridor, Boulder City, NV..*

Dear Mr. Bendure:

We received your notification and supporting documentation regarding the adverse effects of the referenced project, a property eligible for inclusion in the National Register of Historic Places. Based upon the information you provided, we do not believe that our participation in consultation to resolve adverse effects is needed. However, should circumstances change, please notify us so we can re-evaluate if our participation is required. Pursuant to 36 CFR 800.6(b)(iv), you will need to file the Memorandum of Agreement, and related documentation at the conclusion of the consultation process. The filing of this Agreement with the Council is necessary to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions, please contact Jane Crisler at 303/969-5110 or via eMail at jcrisler@achp.gov.

Sincerely,

Nancy Kochan

Nancy Kochan
Office Administrator/Technician
Western Office of Federal
Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

12136 West Bayaud Avenue, Suite 330 • Lakewood, Colorado 80228
Phone: 303-969-5110 • Fax: 303-969-5115 • achp@achp.gov • www.achp.gov



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105**

DATE: 1/29/04

SUBJECT: Boulder City Corridor: Draft Conceptual Mitigation Plan Comments

FROM: Connell Dunning, NEPA Review; Audrey Liu, Water Division

TO: Ted Bendure, FHWA-Nevada Division

The Environmental Protection Agency (EPA) is participating in the early review of the Final Environmental Impact Statement (FEIS) for the Boulder City/ U.S. 93 Corridor Project. Per your request for comments on the Draft Conceptual Mitigation Plan (12/24/03) and per our conversation on 1/29/04, we are sending the following background information and recommendations regarding the document. Should you have any questions, please feel free to contact Connell Dunning at 415-947-4161 or dunning.connell@epa.gov.

CONCEPTUAL MITIGATION PLAN

EPA has reviewed the Boulder City Corridor Draft Conceptual Mitigation Plan sent by FHWA on 12/24/03. Per our phone conversation on 1/29/04, we are sending the following background and recommendations regarding what a conceptual mitigation plan should contain. Regardless of when the proposed project will ultimately occur, FHWA should identify and document potential strategies for mitigating unavoidable impacts to waters, which cannot be assessed until the LEDPA has been identified. As discussed on the 1/29/04 call, the "sequencing approach" of first avoiding, then minimizing impacts to waters must be demonstrated prior to identifying strategies for mitigating those unavoidable impacts that will result from the construction and operation of the proposed alternative.

The Army Corps of Engineers requires compensatory mitigation to replace aquatic resource functions unavoidably lost or adversely affected by authorized activities. The Army Corps of Engineers has developed Regulatory Guidance Letter 02-2 (RGL 02-2) to clarify and support the national policy for "no overall net loss" of wetlands and to reinforce the Corps commitment to protect waters of the United States, including wetlands. Upon application for a permit from ACOE, FHWA must provide appropriate and practicable mitigation for authorized impacts to aquatic resources in accordance with the laws and regulations. Through the NEPA/404 Merger process, EPA and ACOE concurrence on a Conceptual Mitigation Plan helps to minimize future delays when FHW ultimately applies for a permit.

The following is a link to RGL 02-2:

http://www.usace.army.mil/inet/functions/cw/hot_topics/RGL_02-2.pdf

The Boulder City Corridor Draft Conceptual Mitigation Plan provided for EPA review lists methods for minimizing impacts (Best Management Practices, Stormwater Prevention Plan, etc.). It does not address direct, secondary, and cumulative impacts and how FHWA will compensate for these impacts, in accordance with the CWA 404 (b)(1) Guidelines at 40 CFR 230.10(d). FHWA needs to address what plans exist for the compensation of waters that are permanently impacted by the proposed project. The following bulleted points provide some direction for what should be included in the conceptual mitigation plan. Please refer to the above link for additional guidance.

- *Timing*

Although project design is not yet completed, identify phases of mitigation to coincide with project timeline. Identify the time frame within which all compensatory mitigation will occur following the initiation of project construction (e.g., all mitigation to occur within 1 year of initiation of project construction).

- *Target areas for mitigation and conservation banking*

Determine what target areas are available for compensatory mitigation. If on-site mitigation is not deemed viable over the long term, if it would be preferable to use mitigation banks for small aquatic resource impacts. Determine what the potential mitigation banks are in and around the project area and determine if there are sufficient "credits" available to compensate for the proposed impacts. Options in the project area may include: Clark County Multiple Species Habitat Conservation Plan management areas (NDOT is a signatory), Clark County Parks and Recreation areas, and National Park Service inholdings identified for acquisition within Lake Mead National Recreation Area. Work with NDOW, FWS, NPS, BLM to identify areas where acquisition of land will contribute to regional habitat conservation.

- *Compensation ratio*

Determine what the ratio of compensation will be. The ratio of mitigation for impacts to dry ephemeral washes in Clark County has been identified as 1 acre *restored/conserved* per 1 acre lost through dredge and fill activities related to construction and maintenance of flood control facilities (page 3, www.spk.usace.army.mil/pub/outgoing/co/reg/gp/GP07.pdf). This would also be an acceptable ratio for impacts to ephemeral washes in the proposed project area. A ratio of 2 or 3 acres *preserved* for every acre impacted is the standard due to there being no net gain of resources. Address how FHWA and NDOT will commit to setting aside a dollar amount sufficient to purchase and/or restore acreage affected.

- *Conservation easements*

Address the potential for FHWA to contribute to conservation easements around or near the proposed project, and near the edge of Lake Mead National Recreation Area. Refer to other examples where conservation easements have been effective.

In lieu fees for acquisition and/or restoration

Address the potential for in-lieu fee mitigation. Explore and address partnerships with local and regional land trusts. A third party entity may be active in conserving ephemeral stream habitat in the area. FHWA has issued guidance regarding eligibility for participation with Federal-aid highway funds for in-lieu mitigation (<http://www.fhwa.dot.gov/environment/wetland/inlieu.htm>). Address the potential for a stewardship endowment established by FHWA for the proposed project.

In-kind mitigation

In-kind mitigation (e.g., if impacts are to ephemeral streams, mitigation bank should provide protection to similar ephemeral habitats) is generally preferred, although out-of-kind mitigation may be allowable if it is practicable and environmentally preferable. Identify if there are environmentally preferable out-of-kind mitigation possibilities in or near the proposed project area.

DATE: 1/29/04

SUBJECT: Boulder City Corridor: Draft Conceptual Mitigation Plan Comments

FROM: Connell Dunning, NEPA Review; Audrey Liu, Water Division

TO: Ted Bendure, FHWA-Nevada Division

The Environmental Protection Agency (EPA) is participating in the early review of the Final Environmental Impact Statement (FEIS) for the Boulder City/ U.S. 93 Corridor Project. Per your request for comments on the Draft Conceptual Mitigation Plan (12/24/03) and per our conversation on 1/29/04, we are sending the following background information and recommendations regarding the document. Should you have any questions, please feel free to contact Connell Dunning at 415-947-4161 or dunning.connell@epa.gov.

CONCEPTUAL MITIGATION PLAN

EPA has reviewed the Boulder City Corridor Draft Conceptual Mitigation Plan sent by FHWA on 12/24/03. Per our phone conversation on 1/29/04, we are sending the following background and recommendations regarding what a conceptual mitigation plan should contain. Regardless of when the proposed project will ultimately occur, FHWA should identify and document potential strategies for mitigating unavoidable impacts to waters, which cannot be assessed until the LEDPA has been identified. As discussed on the 1/29/04 call, the "sequencing approach" of first avoiding, then minimizing impacts to waters must be demonstrated prior to identifying strategies for mitigating those unavoidable impacts that will result from the construction and operation of the proposed alternative.

The Army Corps of Engineers requires compensatory mitigation to replace aquatic resource functions unavoidably lost or adversely affected by authorized activities. The Army Corps of Engineers has developed Regulatory Guidance Letter 02-2 (RGL 02-2) to clarify and support the national policy for "no overall net loss" of wetlands and to reinforce the Corps commitment to protect waters of the United States, including wetlands. Upon application for a permit from ACOE, FHWA must provide appropriate and practicable mitigation for authorized impacts to aquatic resources in accordance with the laws and regulations. Through the NEPA/404 Merger process, EPA and ACOE concurrence on a Conceptual Mitigation Plan helps to minimize future delays when FHW ultimately applies for a permit.

The following is a link to RGL 02-2:

http://www.usace.army.mil/inet/functions/cw/hot_topics/RGL_02-2.pdf

The Boulder City Corridor Draft Conceptual Mitigation Plan provided for EPA review lists methods for minimizing impacts (Best Management Practices, Stormwater Prevention Plan, etc.). It does not address direct, secondary, and cumulative impacts and how FHWA will compensate for these impacts, in accordance with the CWA 404 (b)(1) Guidelines at 40 CFR 230.10(d). FHWA needs to address what plans exist for the compensation of waters that are permanently impacted by the proposed project. The following bulleted points provide some direction for what should be included in the conceptual mitigation plan. Please refer to the above link for additional guidance.

Timing

Although project design is not yet completed, identify phases of mitigation to coincide with project timeline. Identify the time frame within which all compensatory mitigation will occur following the initiation of project construction (e.g., all mitigation to occur within 1 year of initiation of project construction).

Target areas for mitigation and conservation banking

Determine what target areas are available for compensatory mitigation. If on-site mitigation is not deemed viable over the long term, if it would be preferable to use mitigation banks for small aquatic resource impacts. Determine what the potential mitigation banks are in and around the project area and determine if there are sufficient "credits" available to compensate for the proposed impacts. Options in the project area may include: Clark County Multiple Species Habitat Conservation Plan management areas (NDOT is a signatory), Clark County Parks and Recreation areas, and National Park Service inholdings identified for acquisition within Lake Mead National Recreation Area. Work with NDOW, FWS, NPS, BLM to identify areas where acquisition of land will contribute to regional habitat conservation.

Compensation ratio

Determine what the ratio of compensation will be. The ratio of mitigation for impacts to dry ephemeral washes in Clark County has been identified as 1 acre *restored/conserved* per 1 acre lost through dredge and fill activities related to construction and maintenance of flood control facilities (page 3, www.spk.usace.army.mil/pub/outgoing/co/reg/gp/GP07.pdf). This would also be an acceptable ratio for impacts to ephemeral washes in the proposed project area. A ratio of 2 or 3 acres *preserved* for every acre impacted is the standard due to there being no net gain of resources. Address how FHWA and NDOT will commit to setting aside a dollar amount sufficient to purchase and/or restore acreage affected.

Conservation easements

Address the potential for FHWA to contribute to conservation easements around or near the proposed project, and near the edge of Lake Mead National Recreation Area. Refer to other examples where conservation easements have been effective.

In lieu fees for acquisition and/or restoration

Address the potential for in-lieu fee mitigation. Explore and address partnerships with local and regional land trusts. A third party entity may be active in conserving ephemeral stream habitat in the area. FHWA has issued guidance regarding eligibility for participation with Federal-aid highway funds for in-lieu mitigation (<http://www.fhwa.dot.gov/environment/wetland/inlieu.htm>). Address the potential for a stewardship endowment established by FHWA for the proposed project.

In-kind mitigation

In-kind mitigation (e.g., if impacts are to ephemeral streams, mitigation bank should provide protection to similar ephemeral habitats) is generally preferred, although out-of-kind mitigation may be allowable if it is practicable and environmentally preferable. Identify if there are environmentally preferable out-of-kind mitigation possibilities in or near the proposed project area.



KENNY C. QUINN
Governor

SCOTT K. SISCO
Interim Director

STATE OF NEVADA
DEPARTMENT OF CULTURAL AFFAIRS
Nevada State Historic Preservation Office
100 N. Stewart Street
Carson City, Nevada 89701

RONALD M. JAMES
State Historic Preservation Officer

November 21, 2002

Ted P. Bendure
U.S. Department of Transportation
Federal Highway Administration (FHWA)
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701-4015

Post-it® Fax Note	7671	Date	11-27-02	# of pages	2
To	Michael Lasko	From	Dr. Turner		
Co./Dept.	CH2M HILL	Co.	CRS/ESD		NDOT
Phone #	369-6175	Phone #			
Fax #	702-369-1107	Fax #			

Re: Final Report - Volume I: Boulder City/U.S. 93 Corridor Study Historic Structures Survey - September 2002 and Determinations of Eligibility.

Dear Mr. Bendure:

Thank you for submitting the revised report. The Nevada State Historic Preservation Office (SHPO) has reviewed the subject undertaking for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended. Based on the report submitted with your October 24, 2002 correspondence, the SHPO offers the following comments regarding the seventy-eight (78) properties that were evaluated.

The SHPO concurs with FHWA's determination that the following fifty two (52) properties are not eligible for the National Register of Historic Places (NR) under any of the Secretary's criteria:

- | | | |
|---------------|---------------|---------------|
| 1. 26Ck4956; | 19. 26Ck6212; | 37. 26Ck6235; |
| 2. 26Ck5260; | 20. 26Ck6213; | 38. 26Ck6239; |
| 3. 26Ck5383; | 21. 26Ck6214; | 39. 26Ck6241; |
| 4. 26Ck6193; | 22. 26Ck6217; | 40. 26Ck6243; |
| 5. 26Ck6194; | 23. 26Ck6218; | 41. 26Ck6247; |
| 6. 26Ck6195; | 24. 26Ck6219; | 42. 26Ck6252; |
| 7. 26Ck6196; | 25. 26Ck6222; | 43. 26Ck6253; |
| 8. 26Ck6197; | 26. 26Ck6223; | 44. 26Ck6254; |
| 9. 26Ck6198; | 27. 26Ck6224; | 45. 26Ck6255; |
| 10. 26Ck6199; | 28. 26Ck6225; | 46. 26Ck6256; |
| 11. 26Ck6200; | 29. 26Ck6226; | 47. 26Ck6257; |
| 12. 26Ck6201; | 30. 26Ck6227; | 48. 26Ck6258; |
| 13. 26Ck6203; | 31. 26Ck6228; | 49. 26Ck6447; |
| 14. 26Ck6205; | 32. 26Ck6229; | 50. 26Ck6448; |
| 15. 26Ck6207; | 33. 26Ck6230; | 51. 26Ck6449; |
| 16. 26Ck6208; | 34. 26Ck6231; | 52. 26Ck6450 |
| 17. 26Ck6209; | 35. 26Ck6232; | |
| 18. 26Ck6210; | 36. 26Ck6234; | |

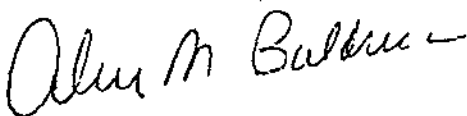
Ted P. Bendure
November 21, 2002
Page 2

The SHPO concurs with the FHWA's determination that the following twenty six (26) properties are eligible for the NR under the following criteria:

1. 26Ck3917 - Boulder City Historic District (Listed on NR)
2. 26Ck4046 (a) - U. S. Construction Railroad (Criteria A and C)
3. 26Ck4046 (b) & (c) - Six Companies, Inc. Railroad (Criteria A and C)
4. 26Ck5414 - UPRR Boulder City Branch Railroad (Criteria A and C)
5. 26Ck6202 - 12 Valley View Lane (Criteria A and C)
6. 26Ck6204 - 14 Valley View Lane (Criteria A and C)
7. 26Ck6206 - 200 Donner Way (Criteria A and C)
8. 26Ck6211 - 205 Donner Way (Criteria A and C)
9. 26Ck6215 - 303 Lakeview Dr. (Criteria A and C)
10. 26Ck6216 - 305 Lakeview Dr. (Criteria A and C)
11. 26Ck6220 - 307 Ridge Rd. (Criteria A and C)
12. 26Ck6221 - 205 Lakeview Dr. (Criteria A and C)
13. 26Ck6233 - Boulder City Pumping Station #2 (Criteria A and C)
14. 26Ck6236 - Old Lakeshore Road (Criteria A and C)
15. 26Ck6237 - LABPL Transmission Line No. 2 (Criteria A and C)
16. 26Ck6238 - LABPL Transmission Line No. 1 (Criteria A and C)
17. 26Ck6240 - MWD Transmission Line No. 1 (Criteria A)
18. 26Ck6242 - LABPL Transmission Line No. 3 (Criteria A and C)
19. 26Ck6244 - Old Airport Hanger (Criteria A and C)
20. 26Ck6245 - Old US Highway 93 (Criteria A and C)
21. 26Ck6246 - Old US Highway 95 (Criteria A)
22. 26Ck6248 - Lake Mead National Recreation Area Maintenance Warehouse Complex (Criteria A and C)
23. 26Ck6249 - Southern California Edison North Transmission Line (Criteria A)
24. 26Ck6250 - Southern California Edison South Transmission Line (Criteria A)
25. 26Ck6251 - Hoover Basic South Transmission Line (Criteria A)
26. 26Ck6259 - 200 Lakeview Dr. (Criteria A and C)

Please note that some of the properties mentioned above were listed in the September 14, 2001 correspondence to your office. They have been listed here again in order to consolidate the information. If you have any questions or comments regarding this correspondence, please contact Rebecca R. Ossa, Architectural Historian at 775-684-3441 or via email at: rossa@clan.lib.nv.us.

Sincerely,



Alice M. Baldrica, Deputy
State Historic Preservation Officer

OCT-18-02 FRI 12:54 PM

FAX:

PAGE 2

United States Department of the Interior



NATIONAL PARK SERVICE

LAKE MEAD NATIONAL RECREATION AREA
601 NEVADA WAY
BOULDER CITY, NEVADA 89005-2426

RECEIVED

OCT 18 2002

IN REPLY REFER TO:
D18

Project Management
C015

October 11, 2002

R. Scott Rawlins, P. E.
Project Manager
Nevada Dept. of Transportation
1263 S. Stewart St.
Carson City, NV 89712

Dear Mr. Rollins:

We have completed our review of the *Administrative Draft of the Boulder City/U.S. 93 Corridor Study/Administrative Final Environmental Impact Statement and Section 4(f) Evaluation* and offer the following comments. We have separated our comments into a general comment section and a specific page-by-page section.

General Comments**Native American Consultation**

As stated in our May 9, 2002 comment letter, we continue to find the Native American consultation incomplete. In Section 3.87, page 3-83 it states that the Federal Highway Administration (FHWA) has initiated formal Government-to-Government consultation. It also states that letters were sent to affiliate tribes and only four tribes responded requesting additional work and/or information. After this it states that "...after review, FHWA determined that these request will be addressed prior to the implementation of the preferred alternative." Does this mean that you will address their request but not take into consideration their subsequent comments, after they have received the information, in the determination of the preferred alternative?

According to "Government-to-Government Relations with Native American Government Memorandum for the Heads of Executive Departments and Agencies, April 29, 1994" it states that: (b) Each executive department and agency shall consult, to the greatest extent practicable and to the extent permitted by law, with tribal governments prior to taking actions that affect federally recognized tribal governments. All such consultations are to be open and candid so that all interested parties may evaluate for themselves the potential impact of relevant proposals." It

does not seem prudent for FHWA to come up with a preferred alternative without incorporating tribal concerns. According to the Presidential Memo, the Government-to-Government consultation has not yet begun, as all that has been completed is the sending of an initial letter and the mailing of the draft document.

The consultation is again referenced in Section 8.1.6, page 8-6 where it is stated that FHWA and NDOT have decided not address the tribal concern for more information and additional work until after a preferred alternative is decided and yet it states, "FHWA and NDOT continue to address specific concerns related cultural resources, traditional religious or cultural properties, or about the overall project as part of the mitigation development for the preferred alternative." How can the agencies say they are addressing cultural resource concerns if they have decided not to consult with the tribes until after determining a preferred alternative? It also states, "Copies of cultural resource reports and other project specific information about the preferred alignment have been provided to those Native American Tribes that have requested them, or as part of the ongoing, formal Government-to-Government consultation." Prior to that the report states that the tribes requests will not be addressed until Native American correspondence documentation, nothing has been sent addressing more information or about the preferred alternative. There is no evidence that Government-to-Government consultation has taken place. A letter and notification of a public meeting do not constitute Government-to-Government consultation.

Wildlife Crossings

Section 4.4.3 page 4-24 states, "Several potential bighorn sheep crossing areas have been identified, and preliminary evaluations of these areas have begun. Prior to final design and placement of bighorn sheep undercrossings and overpasses, the entire highway segment occurring in sheep habitat will be walked with NDOW, NPS and consulting biologist to evaluate and select specific crossing locations and the undercrossing/overpass designs to be utilized. Current and past agency data specific to the Eldorado Mountain bighorn sheep populations, as well as on-the-ground field observations, will be evaluated and utilized in the selection of crossing sites for purposes of addressing specific agency biological concerns."

Based in the insertion of this statement, the issue of type and location of wildlife crossings is not being addressed in this document. As we understand the approach to this issue is FHWA and NDOT will confer with the Nevada Division of Wildlife (NDOW) and the National Park Service (NPS) and identify locations for crossings. This process is scheduled to begin in November of 2002. Then at a later date, when the project is in design, the type and size of the structures will be determined.

There is some discomfort in this approach, as wildlife crossings became a difficult issue to resolve between the FHWA and the respective states on the Hoover Bypass Project. For the purposes of this analysis we recommend the general number of crossings and their locations be presented in this document. Inclusion of the locations will illustrate the commitment of FHWA and NDOT to providing adequate crossing locations. The more detailed information on type and size of crossings can be deferred until the design phase.

Visual Impact Mitigation

Section 4.10, page 4-90, 4-91 and 4-93. The NPS has provided copies of the "Restoration Considerations for Construction Activities for Lake Mead National Recreation Area" and these are included in Appendix A. These restoration measures include the preservation of topsoil and the salvage of plant materials. In addition to these measures, the NPS recommends the staining of cuts and fill material to minimize the contrast with native soils.

In addition to the restoration steps outlined above, the NPS recommends the funding of a temporary NPS position to serve as an inspector/contact person for the duration of this project. We have found the establishment of these position significantly reduced problems between agencies during construction. This position is responsible to see all mitigation measures presented in the plans and specifications are put in practice on the ground. Further, this position serves as the check and balance for the agency in terms of compliance with the plans and specifications. When questions arise, this position will provide answers and will serve as the liaison between the agencies. We have successfully used this position on Federal Highways projects over the last ten years in the reconstruction of Lakeshore Drive and Northshore Drive within Lake Mead NRA.

The provisions outlined in this section should also be incorporated into Section 7 (Section 4(f) Evaluation). Discussion of these items should be included in Section 7.6 Measures to Minimize Harm and specifically included under the Lake Mead National Recreation Area discussion (7.6.1).

Soundscapes

Section 4.3.2, page 4-11, states, "Although traffic movements on the proposed Alternative D would "substantially" increase noise levels along limited segments of the Gold Strike Canyon Trail within Lake Mead NRA, such areas are not deemed to be of frequent human use. Therefore, noise abatement is not required for these areas."

Park soundscapes include both natural and human components. The natural soundscape is considered a park resource. Park natural soundscapes include all the naturally occurring sounds in the park, not including any sounds of human origin. At Lake Mead National Recreation Area, the natural soundscape would include such natural sounds as wind blowing in the shrubs, thunder, quiet, birds calling, rocks falling, animals moving, streams flowing and waves on the lake caused by the wind.

Human caused sounds at Lake Mead National Recreation Area include all types of watercraft, automobiles, trucks, aircraft, generators, electronic devices (e.g. boom boxes, horns), etc.

Table 4-3, on page 4-8 shows the existing sound level within Lake Mead National Recreation Area portion of the project area to be 41 dBA. While these are the lowest values presented in the table, they are not representative of the ambient sound levels of the isolated backcountry of the park. Under alternative D the projected sound levels resulting from this project within Lake Mead NRA are 56-65 dBAs. Although sound levels for traffic on the projected roadway can measure as high as 72 dBA. We feel the sound levels may reach the 72 dBA in the vicinity of Gold Strike Canyon as vehicles may be descending a 6 percent slope on a concrete roadway. To

OCT-18-02 FRI 12:55 PM

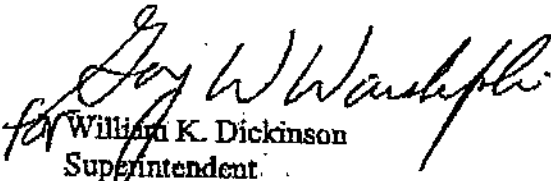
FAX:

PAGE 5

protect the setting of this trailhead within a Traditional Cultural Property, we recommend sound mitigation for the south side of the roadway along the 6 percent slope.

Please find the page-by-page comments attached. We appreciate the opportunity to offer these general comments and look forward to the completion of the FEIS.

Sincerely,


for William K. Dickinson
Superintendent

OCT-18-02 FRI 12:55 PM

FAX:

PAGE 6

Page ES-12 Areas of Controversy

Because the eastern project limit is located several miles within Lake Mead National Recreation Area, it is not possible to avoid Section 4(f) lands with any of the build alternatives, including the preferred alternative, discussed in this document. The use of National Park Service lands for road construction adds an element of controversy to this project. The National Park Service has provided NDOT and FHWA with specific measures to minimize harm.

ES-18 Summary of Impacts and Mitigation

Under Alternative D it states "Wildlife barriers and crossings will be constructed as deemed appropriate..." The number and general location of wildlife crossings should be included here.

ES-26 Summary of Impacts and Mitigation

Under Alternative D it states, "Alternative D provides the highest level of support for the establishment of bicycle routes within Boulder City." We do not see how this alternative provides any support for the establishment of bicycle routes in Boulder City.

ES-28 Summary of Impacts and Mitigation

Under Alternative D we suggest you add the staining of cuts and fill to minimize the contrast with the new construction.

ES-28 Summary of Impacts and Mitigation

Under Alternative D it states, "Signs indicating the availability of food, gas and lodging services will be placed prior to each new interchange..." The National Park Service requests these signs be non-intrusive and not interfere with the natural setting and landscape.

ES-32 Summary of Impacts and Mitigation

Under Alternative D it discusses "appropriate pedestrian and bicycle route signage." Our understanding is that there are no bicycle or pedestrian components to Alternative D.

Page 2-37 Table-Development Features of Alternative D

Additional features will be added as wildlife crossing locations and structures are identified.

Page 3-57 Cultural Resources

First paragraph is confusing. We recommend beginning with "A cultural resources survey was conducted" and then break down the work that was done including the background on Traditional Cultural Properties.

Page 3-58 first paragraph

Historical property is defined in the regulations and that definition should be included here.

Section 3.8.1- page 3-58 Regulations and Evaluation Criteria

We recommend the first two paragraphs be deleted and replaced with the introductory material on page 4-56.

OCT-18-02 FRI 12:55 PM

FAX:

PAGE 7

Section 3.8.1- page 3-58 Regulations and Evaluation Criteria

Regulations in the Federal Register are not Department of Interior regulations. They are federal regulations and apply to all land management agencies.

Page 3-70 Affected Archaeological Resources

This discussion should be moved to Agency Consultation section on page 3-83.

The discussion on the preparation of the PA should include the NPS and BOR as land management agencies.

Section 3.8.5 page 3-78

The title Historic Resource Survey should be changed to Historic Structures Survey.

Page 3-79

The heading Historic Properties with the APE should be changed to Historic Structures within the APE

Table 3-13 pages 3-79-82 Recorded Structures within Build Alternatives APE

Are the entries under the heading NRHP Eligible included with SHPO's concurrence?

On page 3-82 it shows Site Number 26CK6448 the Alan Bible Visitor Center is not eligible. The NPS is preparing a determination of eligibility for this structure, which brings up a larger issue. This project cannot make a determination of not eligible without NPS agreement.

Page 3-83

Suggest the last paragraph on TCP's be moved to the introduction on page 3-57.

Page 4-5

Suggest you include topsoil salvage and replacement under construction mitigation for operations within Lake Mead NRA.

Page 4-9

The NPS has taken issue with the statement, "No adverse effects are expected to occur anywhere in the developed portion of the study area, as the nearest noise-sensitive areas, outside of the two hotels near the project limits, would be at least 1.2 km (0.8 mile) away from the proposed alignment." We have identified an additional noise sensitive area and believe it is vulnerable to noise impacts.

Pag3 4-22

Document should make an active statement on the control of invasive plants as part of the construction mitigation on vegetation.

Page 4-23

An NPS Biological Monitor will be required as part of this project and should be funded by the project.

OCT-18-02 FRI 12:56 PM

FAX:

PAGE 8

Page 4-23

The chuckwalla mitigation needs to be reflected in the mitigation table.

It is stated in the last paragraph, "Construction will occur in other than spring and summer months." We do not believe this will happen and is not appropriate to include here.

Page 4-48 Agency Permits and Review

It states that, "The project may also qualify for a Letter of Permission (LOP)." We do not believe this is so.

Page 4-54

Areas for servicing and washing construction equipment will need to be located on lands outside Lake Mead NRA.

Page 4-57

May want to combine sections 4.8.1 and 4.8.3. Also combine 4.8.2 with 4.8.4 This may eliminate some redundancy.

Page 4-63

Alternative D would result in impacts to protected parklands.

Page 4-69 Land Use Plans and Policies

This section needs to discuss the use of sensitive parklands and the relationship to NPS land use planning and zoning.

Page 4-94 Operational Mitigation

The National Park Service is concerned with the impact of lighting on the night sky. We recommend the lighting be shielded and directed downward.

Page 7-1 Section 4(f) Statement

This section does not address noise and aesthetics. These issues are presented in the impairment document included in appendix D.

Page 7-8 Third paragraph

There is additional mitigation included - see Restoration Considerations for Construction Activities in Appendix A.

Page 7-41 Measures to Minimize Harm

Under Lake Mead National Recreation Area we recommend this section be more inclusive of the mitigation measures identified throughout the report to protect parklands.



COLORADO RIVER INDIAN TRIBES

Colorado River Indian Reservation

ROUTE 1 BOX 23-B
PARKER, ARIZONA 85344
TELEPHONE (520) 669-9211

August 7, 2002

Christopher E. Young
Native American Consultation Coordinator
Environmental Services Division
Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

RE: Boulder City/U. S. 93 Corridor Project, SPF-093-1 (010), EA 72474, CL00-051R

Dear Mr. Young:

Our comments regarding the proposed route of the Boulder City/U. S. 93 Corridor, Alternative D, the "Southern Alternative" with the Federal Highway Administration (FHWA) and Nevada Department of Transportation (NDOT) are as follows;

- The whole region of the Eldorado Valley from the outset of Boulder City, Nevada and from the Railroad Pass at the northern end to the southern most region of the valley is known as the traditional boundary for the Mohaves to the south with their northern neighbors the Southern Paiutes.
- Site 26CK6268, consisting of 13 ceramic sherds of two vessels. Probably of Mohave/Patayan origin and may be important, because it points to the evidence and the fact that Mohaves traveled this area. Ft. Mojave of Needles, California need to be included in the consultation process.
- Site 26CK6269, a rock ring circle with opening to the southwest. Likely, a prayer place performed by medicine people for the inhabitants who share (d) this region and for those who have gone to be with the ancient ones. A sacred place where harmony, unity and visiting of ancient ones take place. This place needs to be preserved and protected.
- Site 26CK23/6291, Sullivan Turquoise Mine with turquoise and hematite. Southern Paiute and Mohave people use this sacred red paint for ceremonial purposes. Turquoise was used by the Southern Paiute for fending off evil spirits and for protection. Mohave did not use this mineral. This place is definitely a sacred one as Southern Paiutes recognize minerals such as this are where the Great Spirit placed them as a provision for

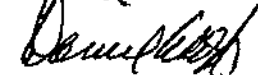
traditionalists to use. Also, it is a place for developing the skills to attain a shamanistic perspective and to seek a vision. Probably that was how this place was used before it was mined for economic purposes by the coming of miners. Mountains are very important to native people. There is much despair and distress in seeing a mountain violated. Even though this site has been impacted, there should be measures in place to minimize further impacts. Probably eligible for the National Register of Historic Places. There needs to be concerns, also, for the vertical shafts remaining in the mine and the potential danger effect.

- The Salt Song Trail: The Salt Song passes through just north of here. There is a cave nearby that holds the songs to be given to a person seeking it.
- Should other cultural artifacts be found, the tribes affiliated should be notified. If the possibility of human remains be unearthed, suspend work and notify tribes immediately.
- Also, should project plans be modified, notify tribes of changes.
- The Colorado River Indian Tribes is involved with the Hoover Dam Bypass Project in the compacity of an ongoing Native American consultation program. Should such a program be installed for this project or future projects, then, the C. R. I. T. would care to be included with such a program.

Native American properties are numerous throughout the west. I'm sure many are eligible for National recognition. Unfortunately, some can bring a proposed project to a halt, that is, until amendments can be adjusted. It is for the archaeology sites that many agencies and tribal governments come together to do what is best for America's heritage so that these places will continue to provide information, insight and to educate the present of a lifestyle that existed long ago.

These are our concerns and comments. If you wish, you may call Betty L. Cornelius, Museum Director, (928) 669-1337 for any concerns you may have.

Sincerely,



Daniel Eddy Jr.
Chairman

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Return to: Mr. Christopher Young
Native American Consultation Coordinator
Environmental Services Division
Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

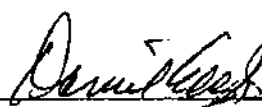
From: Ms. Betty Cornelius
Museum Director
Colorado River Indians Tribe
Route 1 Box 23-B
Parker, AZ 85344

Reply: Please check one of the options below, or provide other comments, as appropriate.

- ☐ The Colorado River Indians Tribe has no comments or concerns regarding the Native American properties identified for this project. Nor does the tribe wish to comment on any other traditional cultural properties that may exist within the project area.
- ☐ The Colorado River Indians Tribe defers to the other Native American tribes/groups consulted with for this project. However, we reserve the right to comment on this project in the future if necessary and wish to remain informed of the progress and outcome of the consultations with the other tribes.
- ☒ The Colorado River Indians Tribe requests further consultation to address our concerns and would like to participate in a field trip to the project site. Please contact the following person to discuss this matter further.

Contact Person: Betty L. Cornelius
Telephone Number: (928) 669-1337

Signature:

Name 
Title Chairman
Date August 8, 2002

FROM :

FAX NO. :

Aug. 27 2002 03:50PM P1

NATIONAL RIFLE ASSOCIATION OF AMERICA
FIELD OPERATIONS DIVISION
RANGE DEPARTMENT
WAPLES MILL ROAD
FAIRFAX, VA 22030

Submitted by RTTA Don Turner *DT*
July 26, 2002

Post-it® Fax Note	7671	Date	# of pages ▶
To	<i>M. Lasso</i>	From	<i>Harry Helfrich</i>
Co/Dept.		Co/Dept.	<i>Boulder Rifle & Pistol Club</i>
Phone #		Phone #	<i>Pistol Club</i>
Fax #	<i>369-1107</i>	Fax #	<i>294 5173</i>

RANGE CASE NUMBER: RCN NV-1078-02

RANGE ADDRESS:

P.O. Box 60534, Boulder City NV 89006

RANGE OWNERSHIP:

City of Boulder, leased to the Boulder Rifle and Pistol Club until ²⁰¹¹~~2001~~. The club has approximately 400 members, the lease requires police and public shooting.

RANGE HISTORY:

Built by US Army in 1937 and used by federal government until 1963 when it was given to Boulder City who leased it to the Boulder Rifle and Pistol Club.

RANGE DESCRIPTION:

The range has 25 points to 1000 yards, three tactical bays, 60-70 yards deep, 30 yards wide, and a metallic silhouette rifle range. Public range is 300 yards long by 100-150 yards deep. It is a plinking range only with telephone pole firing line and no target frames. With the exception of the tactical bays, backstops are all natural. Firing is done in an easterly direction. The range is approximately 585 acres in size.

RANGE EVALUATION:

On May 23, 2002 I met with Mr. Harry Helfrich, President of the Boulder Rifle and Pistol Club in Boulder City Nevada. Upon discussion, it was apparent the club did not want a range evaluation, so none was performed. What the club wanted was RTTA help in assisting them with the Nevada Department of Transportation (NDOT) regarding a proposed road that may be built along the range's north boundary. The club has had two meetings with NDOT during the public comment period.

ISSUE IDENTIFICATION:

The Nevada Department of Transportation is proposing to relocate US 93 south of its present alignment, which would place it within 280 feet from the tactical pistol bays.

FROM :

FAX NO. :

Aug. 27 2002 03:50PM P2

(NDOT Option D, southern by-pass). The tactical bays are angled away from the proposed highway, so there will be no conflict with the roadway. My concern is with their 1000 yard range. The 1000 yard firing positions are elevated and fire down towards the backstop. There are no lateral berms, consequently the ten degree safety fan may extend towards the roadway.

Based on the map provided, the onsite visit, and an onsite meeting with Mr. Helfrich and a member of his board, the following mitigation measures were discussed with them for their consideration.

1. Immediately begin dialogue with NDOT regarding mitigation for the firing range.
Mitigation options include:
 - a. Requesting NDOT place a berm the length of its right of way where it is adjacent to the range.
 - b. Requesting NDOT come on site and level the 1000 yard range and construct a suitable backstop.
2. Immediately contact local businesses and groups to build partnerships with the range, and to glean support for the range's request for mitigation.

Based on personal experiences with departments of transportation, neither of these mitigation proposals are excessive. But the club needs to make the effort to get them to the attention of NDOT as soon as possible. There is nothing in this report that wasn't discussed on site.

Since the Range did not want a Range evaluation, this concludes my report.

Corrections

Range is leased to BRPC

until 2011

Range was originally built

in 1932 by Boulder Rifle

& Pistol Club & taken over

by Army during WW 2. Returned

to BRPC in 1963

National Park Service – Lake Mead National Recreation Area

Restoration Considerations for Construction Activities

1. Restoration is not a substitute for preservation. Keep construction activities confined to as small a footprint as possible. This includes heavy equipment turnarounds, any vehicle parking, materials storage, and all construction activities. This applies to *everyone*; biologists, inspectors, operators, etc.
2. Plant salvage operations shall be conducted by qualified horticultural or biological staff prior to any ground disturbance. Species generally salvaged include cactus or other succulents; usually *Yucca* or *Opuntia* species (Joshua trees, yuccas, beavertail, and cholla) but can include herbaceous shrubs as well, depending on plant community. These shall be placed in a temporary holding facility to be maintained for outplanting after construction.
3. As soon as possible, collect seeds, or other propagules, from the immediately surrounding area for propagation or direct seeding. Species composition and quantities shall reflect species composition in surrounding area. Seeds or other propagules shall be maintained so as to preserve viability and prevent rodent and insect infestation.
4. Topsoil salvage shall be conducted before any construction activities occur. The topsoil shall be removed to a depth of 6", along with rocks, plant debris, etc. and stored for subsequent resspreading and recontouring. Storage may not occur on undisturbed areas, and soils must be piled so as to expose as little surface area as possible. Once a pile is completed, it must be treated against erosion by application of a non-asphalt based tackifier. Once treated, it may not be run over or disturbed until resspreading after construction.
5. If major changes in topsoil are encountered, then topsoil shall be placed in separate piles so that mixing does not occur.
6. Large boulders (over 6" in diameter) in the topsoil may be placed in a separate pile for subsequent placement during topsoil replacement. They may not be stored on undisturbed areas.
7. After construction, subsoil shall be recontoured to match the surrounding terrain as closely as possible.
8. The stored topsoil shall be resspread and recontoured to match existing soil types and terrain as closely as possible. Boulders and rocks shall be replaced in a natural manner, with portions buried beneath the soil surface. Interfaces between disturbed and undisturbed areas shall be hand raked to eliminate obvious edges. All tracks and equipment marks shall be raked away. Once topsoil replacement has been finished, no vehicles or other motorized equipment of any kind will be allowed back in the area.
9. If replaced rocks or boulders are lighter in color than surrounding ones, they shall be darkened to match with application of an artificial desert varnish such as "Permeon". All boulders and surface rocks shall be washed before application of artificial desert varnish. Any artificial desert varnish used shall not alter soil pH in any way.
10. Salvaged plant material shall be replanted by qualified horticultural or biological staff in a manner consistent to produce a reasonable survival rate. Supplemental watering must be done until plants are established, or through at least one summer season. No motorized vehicles may be driven on to undisturbed or restored areas to accomplish watering.

11. Propagated plants and/or previously collected seed or other propagules shall be planted, distributed or otherwise installed by qualified horticultural or biological staff in a manner consistent to produce a reasonable survival rate. Supplemental watering must be done until plants are established, or at least through one summer season. No motorized vehicles may be driven on to undisturbed or restored areas to accomplish watering.



KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

TOM STEPHENS, P.E., Director

July 16, 2002

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Mr. Kenny Anderson
Environmental Programs Manager
Las Vegas Paiute Tribe
One Paiute Drive
Las Vegas, NV 89106

Dear Mr. Anderson:

This letter is to inform you that a decision has been made concerning the proposed route of the Boulder City/U.S. 93 Corridor project. After careful review, the Federal Highway Administration (FHWA) has decided to pursue the construction of Alternative D, the "Southern Alternative".

Enclosed with this letter is a copy of the cultural resources report detailing the findings of cultural resources investigations for all alternatives considered for this project. Below you will find a summary of the proposed project and a brief outline of Native American cultural resources that were identified for the Southern Alternative route.

Project Description

In an effort to relieve traffic problems and address traffic safety issues along U.S. 93 in and around Boulder City, Nevada, FHWA, in cooperation with the Nevada Department of Transportation (NDOT) and concerned federal, state, and local agencies, is proposing to construct a new bypass of U.S. 93 around the community of Boulder City. After going through the appropriate review process it has been decided that the Southern Alternative will be the alignment constructed. This alignment begins at the Foothills overpass in Henderson, approximately .7 mile northwest of Railroad Pass. From Railroad Pass it travels south for about a mile and then turns due east for a couple miles south of Boulder City. The route then travels in a northerly direction for a couple miles through the Eldorado Mountains to rejoin existing U.S. 93 at point just east of the Hacienda Hotel and Casino. The highway will be a four lane divided highway with interchanges at Foothills Road in Henderson, at US. 95 at the north end of Eldorado Valley, and near the Hacienda Hotel and Casino.

Cultural Resources

The Harry Reid Center for Environmental Studies (HRC) conducted cultural resource investigations for CH2M HILL on the behalf of NDOT and FHWA along three proposed routes for the Boulder City Corridor project. These investigations included a review of existing literature as well as the intensive pedestrian survey of a 1000' foot-wide corridor for each alternative.

A review of the existing literature and the pedestrian survey identified four Native American sites (26CK6266, 26CK6268, 26CK6269, 26CK6270) within the Southern Alternative corridor, six isolated artifacts, and one site (26CK23/6291) directly adjacent to the corridor. Maps showing the locations of the sites and isolates in question can be found in the enclosed report beginning on page 6.

The six isolated Native American finds include a metate fragment, a Pyramid Gray ceramic sherd, and four chipped stone cores/nodules.

Site 26CK6266 is a scatter of five chipped stone flakes within a 45 m² area. Two trowel probes revealed no subsurface finds.

Site 26CK6268 consists of 13 ceramic sherds within a 19 m² area representing at least two separate vessels. Two trowel probes revealed no subsurface finds.

Site 26CK6269 is a single 2 m diameter rock circle with an opening to the southwest. No other cultural remains are associated with the alignment. A single trowel probe in the center of the feature revealed no subsurface finds.

Site 26CK6270 is a 300 x 150 m area with one utilized chipped stone flake, seven stone cores and more than 50 chipped stone waste flakes. Several unmodified toolstone nodules are also present suggesting the area may have been a toolstone source location. A single 25 x 25 x 10 cm trowel probe yielded a single chipped stone flake 3 cm below surface. Only a small portion of the western edge of this site falls within the survey corridor. Erosion and recreational travel have impacted the site.

Site 26CK23/6291 is located south of the Hacienda Hotel and Casino on the north slope of a mountain directly adjacent to both the existing U.S. 93 highway and the proposed corridor for the Southern Alternative. The area is known historically as the site of the Sullivan Turquoise Mine and several vertical shafts remain from the historic mining activities. Turquoise and hematite (red ochre/paint) were also extracted from this area by Native Americans for ceremonial and trade purposes. Despite the recovery of Native American objects during a previous archaeological investigation of the site in 1929 by Mark Harrington, no evidence indicating that any of the existing mining-related features are prehistoric in age was identified during the current reinvestigation of the site. In addition to the historic mining activities, the site has been impacted by modern gravel extraction and the construction of a gas station and helipad associated with the Hacienda Hotel and Casino.

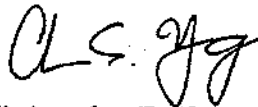
With the exception of the Sullivan Turquoise Mine site (26CK23/6291), the Nevada State Historic Preservation Officer (SHPO) has determined that the Native American properties discussed above are not significant and thus warrant no mitigation efforts.

Based on the information provided above and within the enclosed report:

1. Do you have any concerns or comments regarding any of the Native American properties identified along or adjacent to the Southern Alternative corridor?
2. Do you have any concerns or comments specifically pertaining to the Sullivan Turquoise Mine site area (26CK23/6291) as it relates to traditional cultural activities significant to your tribe?
3. Do you have any concerns or comments regarding additional traditional cultural properties (TCPs) that may be in the area that are of religious or cultural significance to your tribe?

We discussed this project during our meeting on July 2, 2002, and you stated that a field trip to the project site would be necessary. I will be away from the office for the last week of July and the first week of August. Upon my return, I will begin contacting the tribes to coordinate a date for the field trip so that we may better address the questions presented above. For your records, I have also enclosed photocopies of the response forms you signed during our July 2 meeting. If you have any further questions feel free to contact me. Thank you very much for your time.

Sincerely Yours,



Christopher E. Young
Native American Consultation Coordinator

cc: Ted Bendure, FHWA Environmental Program Manager
enc: Report, Blair et al. (2001)
SR 160 Response Form
Boulder City Corridor Response Form



KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

TOM STEPHENS, P.E., Director

July 16, 2002

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Mr. Richard Arnold, Chairman
Pahrump Paiute Tribe
P.O. Box 3411
Pahrump, NV 89041

Dear Mr. Arnold:

This letter is to inform you that a decision has been made concerning the proposed route of the Boulder City/U.S. 93 Corridor project. After careful review, the Federal Highway Administration (FHWA) has decided to pursue the construction of Alternative D, the "Southern Alternative". The consultation process for this project was initiated with your tribe through a letter from FHWA dated June 19, 2001, and the project was discussed during our meeting on the July 5, 2002.

As FHWA's agent in these matters, I seek to continue our dialog and elicit any further comments or concerns your tribe may have regarding places that may be of cultural or religious significance that may be impacted by the construction of this project.

Enclosed with this letter is the copy of the cultural resources report I promised you detailing the findings of cultural resources investigations for all the alternatives considered for this project. Below you will find a summary of the proposed project and a brief outline of Native American cultural resources that were identified for the Southern Alternative route.

Project Description

In an effort to relieve traffic problems and address traffic safety issues along U.S. 93 in and around Boulder City, Nevada, FHWA, in cooperation with the Nevada Department of Transportation (NDOT) and concerned federal, state, and local agencies, is proposing to construct a new bypass of U.S. 93 around the community of Boulder City. After going through the appropriate review process it has been decided that the Southern Alternative will be the alignment constructed. This alignment begins at the Foothills overpass in Henderson, approximately .7 mile northwest of Railroad Pass. From Railroad Pass it travels south for about a mile and then turns due east for a couple miles south of Boulder City. The route then travels in a northerly direction for a couple miles through the Eldorado Mountains to rejoin existing U.S. 93 at point just east of the Hacienda Hotel and Casino. The highway will be a four lane divided

highway with interchanges at Foothills Road in Henderson, at US. 95 at the north end of Eldorado Valley, and near the Hacienda Hotel and Casino.

Cultural Resources

The Harry Reid Center for Environmental Studies (HRC) conducted cultural resource investigations for CH2M HILL on the behalf of NDOT and FHWA along three proposed routes for the Boulder City Corridor project. These investigations included a review of existing literature as well as the intensive pedestrian survey of a 1000' foot-wide corridor for each alternative.

A review of the existing literature and the pedestrian survey identified four Native American sites (26CK6266, 26CK6268, 26CK6269, 26CK6270) within the Southern Alternative corridor, six isolated artifacts, and one site (26CK23/6291) directly adjacent to the corridor. Maps showing the locations of the sites and isolates in question can be found in the enclosed report beginning on page 6.

The six isolated Native American finds include a metate fragment, a Pyramid Gray ceramic sherd, and four chipped stone cores/nodules.

Site 26CK6266 is a scatter of five chipped stone flakes within a 45 m² area. Two trowel probes revealed no subsurface finds.

Site 26CK6268 consists of 13 ceramic sherds within a 19 m² area representing at least two separate vessels. Two trowel probes revealed no subsurface finds.

Site 26CK6269 is a single 2 m diameter rock circle with an opening to the southwest. No other cultural remains are associated with the alignment. A single trowel probe in the center of the feature revealed no subsurface finds.

Site 26CK6270 is a 300 x 150 m area with one utilized chipped stone flake, seven stone cores and more than 50 chipped stone waste flakes. Several unmodified toolstone nodules are also present suggesting the area may have been a toolstone source location. A single 25 x 25 x 10 cm trowel probe yielded a single chipped stone flake 3 cm below surface. Only a small portion of the western edge of this site falls within the survey corridor. Erosion and recreational travel have impacted the site.

Site 26CK23/6291 is located south of the Hacienda Hotel and Casino on the north slope of a mountain directly adjacent to both the existing U.S. 93 highway and the proposed corridor for the Southern Alternative. The area is known historically as the site of the Sullivan Turquoise Mine and several vertical shafts remain from the historic mining activities. Turquoise and hematite (red ochre/paint) were also extracted from this area by Native Americans for ceremonial and trade purposes. Despite the recovery of Native American objects during a previous archaeological investigation of the site in 1929 by Mark Harrington, no evidence indicating that any of the existing mining-related features are prehistoric in age was identified during the current reinvestigation of the site. In addition to the historic mining activities, the site has been impacted by modern gravel extraction and the construction of a gas station and helipad associated with the Hacienda Hotel and Casino.

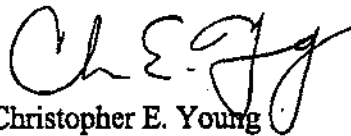
With the exception of the Sullivan Turquoise Mine site (26CK23/6291), the Nevada State Historic Preservation Officer (SHPO) has determined that the Native American properties discussed above are not significant and thus warrant no mitigation efforts.

Based on the information provided above and within the enclosed report:

1. Does the tribe have any concerns or comments regarding any of the Native American properties identified along or adjacent to the Southern Alternative corridor?
2. Does the tribe have any concerns or comments specifically pertaining to the Sullivan Turquoise Mine site area (26CK23/6291) as it relates to traditional cultural activities significant to your tribe?
3. Does the tribe have any concerns or comments regarding additional traditional cultural properties (TCPs) that may be in the area that are of religious or cultural significance to you?

During our July 5, 2002 meeting it was suggested that a visit to the project site would be useful in further addressing this matter in light of the questions posed above. Representatives of the Las Vegas Paiute Tribe and Moapa Paiute Tribe have also indicated that a field inspection of the project area is in order. Follow-up with all six tribes originally contacted for this project is underway, and I am seeking their continued participation. I will be away from the office for the last week of July and the first week of August. Upon my return, I will contact you and any of the other tribes interested in a field trip to coordinate and set a date for it. Please feel free to contact me with any questions you may have. Thank you very much for your time.

Sincerely Yours,



Christopher E. Young
Native American Consultation Coordinator

cc: Ted Bendure, FHWA Environmental Program Manager
enc: Report, Blair et al. (2001)



KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

TOM STEPHENS, P.E., Director

July 16, 2002

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Ms. Betty Cornelius
Museum Director
Colorado River Indians Tribe
Route 1 Box 23-B
Parker, AZ 85344

Dear Ms. Cornelius:

This letter is to inform you that a decision has been made concerning the proposed route of the Boulder City/U.S. 93 Corridor project. After careful review, the Federal Highway Administration (FHWA) has decided to pursue the construction of Alternative D, the "Southern Alternative". The consultation process for this project was initiated with your tribe through a letter from FHWA dated June 19, 2001. Chairman Eddy returned the FHWA Native American Consultation Response Form dated September 24, 2001 (copy enclosed) stating that the "tribe did not see a need to conduct formal consultation". Since then there has been no further communication between the FHWA and the tribe on this matter.

As FHWA's agent in these matters, I am again seeking the tribe's participation in government-to-government consultations on the Boulder City/U.S. 93 Corridor project as prescribed by the National Historic Preservation Act (NHPA) and other federal regulations and executive orders. Again, we seek any to elicit any comments or concerns your tribe may have regarding places that may be of cultural or religious significance that may be impacted by the construction of this project.

Also enclosed with this letter is a copy of the cultural resources report detailing the findings of cultural resources investigations for all the alternatives considered for this project. Also enclosed is a copy of the Draft Environmental Impact Statement (DEIS). This document may be useful in addressing any additional environmental questions you may have about the project and project area. Below you will find a summary of the proposed project and a brief outline of Native American cultural resources that were identified for the Southern Alternative route.

Project Description

In an effort to relieve traffic problems and address traffic safety issues along U.S. 93 in and around Boulder City, Nevada, FHWA, in cooperation with the Nevada Department of

Transportation (NDOT) and concerned federal, state, and local agencies, is proposing to construct a new bypass of U.S. 93 around the community of Boulder City. After going through the appropriate review process it has been decided that the Southern Alternative will be the alignment constructed. This alignment begins at the Foothills overpass in Henderson, approximately .7 mile northwest of Railroad Pass. From Railroad Pass it travels south for about a mile and then turns due east for a couple miles south of Boulder City. The route then travels in a northerly direction for a couple miles through the Eldorado Mountains to rejoin existing U.S. 93 at point just east of the Hacienda Hotel and Casino. The highway will be a four lane divided highway with interchanges at Foothills Road in Henderson, at US. 95 at the north end of Eldorado Valley, and near the Hacienda Hotel and Casino.

Cultural Resources

The Harry Reid Center for Environmental Studies (HRC) conducted cultural resource investigations for CH2M HILL on the behalf of NDOT and FHWA along three proposed routes for the Boulder City Corridor project. These investigations included a review of existing literature as well as the intensive pedestrian survey of a 1000' foot-wide corridor for each alternative.

A review of the existing literature and the pedestrian survey identified four Native American sites (26CK6266, 26CK6268, 26CK6269, 26CK6270) within the Southern Alternative corridor, six isolated artifacts, and one site (26CK23/6291) directly adjacent to the corridor. Maps showing the locations of the sites and isolates in question can be found in the enclosed report beginning on page 6.

The six isolated Native American finds include a metate fragment, a Pyramid Gray ceramic sherd, and four chipped stone cores/nodules.

Site 26CK6266 is a scatter of five chipped stone flakes within a 45 m² area. Two trowel probes revealed no subsurface finds.

Site 26CK6268 consists of 13 ceramic sherds within a 19 m² area representing at least two separate vessels. Two trowel probes revealed no subsurface finds.

Site 26CK6269 is a single 2 m diameter rock circle with an opening to the southwest. No other cultural remains are associated with the alignment. A single trowel probe in the center of the feature revealed no subsurface finds.

Site 26CK6270 is a 300 x 150 m area with one utilized chipped stone flake, seven stone cores and more than 50 chipped stone waste flakes. Several unmodified toolstone nodules are also present suggesting the area may have been a toolstone source location. A single 25 x 25 x 10 cm trowel probe yielded a single chipped stone flake 3 cm below surface. Only a small portion of the western edge of this site falls within the survey corridor. Erosion and recreational travel have impacted the site.

Site 26CK23/6291 is located south of the Hacienda Hotel and Casino on the north slope of a mountain directly adjacent to both the existing U.S. 93 highway and the proposed corridor for the Southern Alternative. The area is known historically as the site of the Sullivan Turquoise

Mine and several vertical shafts remain from the historic mining activities. Turquoise and hematite (red ochre/paint) were also extracted from this area by Native Americans for ceremonial and trade purposes. Despite the recovery of Native American objects during a previous archaeological investigation of the site in 1929 by Mark Harrington, no evidence indicating that any of the existing mining-related features are prehistoric in age was identified during the current reinvestigation of the site. In addition to the historic mining activities, the site has been impacted by modern gravel extraction and the construction of a gas station and helipad associated with the Hacienda Hotel and Casino.

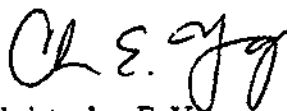
With the exception of the Sullivan Turquoise Mine site (26CK23/6291), the Nevada State Historic Preservation Officer (SHPO) has determined that the Native American properties discussed above are not significant and thus warrant no mitigation efforts.

Based on the information provided above and within the enclosed report:

1. Does the tribe have any concerns or comments regarding any of the Native American properties identified along or adjacent to the Southern Alternative corridor?
2. Does the tribe have any concerns or comments specifically pertaining to the Sullivan Turquoise Mine site area (26CK23/6291) as it relates to traditional cultural activities significant to your tribe?
3. Does the tribe have any concerns or comments regarding additional traditional cultural properties (TCPs) that may be in the area that are of religious or cultural significance to you?

Representatives of the Las Vegas Paiute Tribe, Moapa Paiute Tribe, and the Pahrump Paiute Tribe have indicated that a field inspection of the project area is in order. I will be away from the office for the last week of July and the first week of August. Upon my return, I will begin contacting those tribes interested in a field trip to coordinate a date for it. If you would like a representative from your tribe to participate in this field trip, please contact me as soon as possible. You can mail the enclosed response form to me or forward any written comments concerning this project to me at the above address. You can also contact me by telephone at 775-888-7483, by fax at 775-888-7504, or by email at cyoung@dot.state.nv.us. Thank you very much for your time.

Sincerely Yours,



Christopher E. Young
Native American Consultation Coordinator

cc: Ted Bendure, FHWA Environmental Program Manager
enc: 9/24/01 Response form
Report, Blair et al. (2001)
DEIS (March 2002)

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Return to: Mr. Christopher Young
Native American Consultation Coordinator
Environmental Services Division
Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

From: Ms. Betty Cornelius
Museum Director
Colorado River Indians Tribe
Route 1 Box 23-B
Parker, AZ 85344

Reply: Please check one of the options below, or provide other comments, as appropriate.

- ☐ The Colorado River Indians Tribe has no comments or concerns regarding the Native American properties identified for this project. Nor does the tribe wish to comment on any other traditional cultural properties that may exist within the project area.
- ☐ The Colorado River Indians Tribe defers to the other Native American tribes/groups consulted with for this project. However, we reserve the right to comment on this project in the future if necessary and wish to remain informed of the progress and outcome of the consultations with the other tribes.
- ☐ The Colorado River Indians Tribe requests further consultation to address our concerns and would like to participate in a field trip to the project site. Please contact the following person to discuss this matter further.

Contact Person: _____

Telephone Number: _____

Signature: **Name** _____
 Title _____
 Date _____



KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

TOM STEPHENS, P.E., Director

July 16, 2002

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Mr. Dan Morgan
Tribal Administrator
Moapa Paiute Tribe
P.O. Box 340
Moapa, NV 89025

Dear Mr. Morgan:

In following up on our meeting on July 3, 2002, I am sending this letter to inform you that a decision has been made concerning the proposed route of the Boulder City/U.S. 93 Corridor project. After careful review, the Federal Highway Administration (FHWA) has decided to pursue the construction of Alternative D, the "Southern Alternative".

Enclosed with this letter is the copy of the cultural resources report I promised you detailing the findings of cultural resources investigations for all the alternatives considered for this project. Below you will find a summary of the proposed project and a brief outline of Native American cultural resources that were identified for the Southern Alternative route.

Project Description

In an effort to relieve traffic problems and address traffic safety issues along U.S. 93 in and around Boulder City, Nevada, FHWA, in cooperation with the Nevada Department of Transportation (NDOT) and concerned federal, state, and local agencies, is proposing to construct a new bypass of U.S. 93 around the community of Boulder City. After going through the appropriate review process it has been decided that the Southern Alternative will be the alignment constructed. This alignment begins at the Foothills overpass in Henderson, approximately .7 mile northwest of Railroad Pass. From Railroad Pass it travels south for about a mile and then turns due east for a couple miles south of Boulder City. The route then travels in a northerly direction for a couple miles through the Eldorado Mountains to rejoin existing U.S. 93 at point just east of the Hacienda Hotel and Casino. The highway will be a four lane divided highway with interchanges at Foothills Road in Henderson, at US. 95 at the north end of Eldorado Valley, and near the Hacienda Hotel and Casino.

Cultural Resources

The Harry Reid Center for Environmental Studies (HRC) conducted cultural resource investigations for CH2M HILL on the behalf of NDOT and FHWA along three proposed routes for the Boulder City Corridor project. These investigations included a review of existing literature as well as the intensive pedestrian survey of a 1000' foot-wide corridor for each alternative.

A review of the existing literature and the pedestrian survey identified four Native American sites (26CK6266, 26CK6268, 26CK6269, 26CK6270) within the Southern Alternative corridor, six isolated artifacts, and one site (26CK23/6291) directly adjacent to the corridor. Maps showing the locations of the sites and isolates in question can be found in the enclosed report beginning on page 6.

The six isolated Native American finds include a metate fragment, a Pyramid Gray ceramic sherd, and four chipped stone cores/nodes.

Site 26CK6266 is a scatter of five chipped stone flakes within a 45 m² area. Two trowel probes revealed no subsurface finds.

Site 26CK6268 consists of 13 ceramic sherds within a 19 m² area representing at least two separate vessels. Two trowel probes revealed no subsurface finds.

Site 26CK6269 is a single 2 m diameter rock circle with an opening to the southwest. No other cultural remains are associated with the alignment. A single trowel probe in the center of the feature revealed no subsurface finds.

Site 26CK6270 is a 300 x 150 m area with one utilized chipped stone flake, seven stone cores and more than 50 chipped stone waste flakes. Several unmodified toolstone nodules are also present suggesting the area may have been a toolstone source location. A single 25 x 25 x 10 cm trowel probe yielded a single chipped stone flake 3 cm below surface. Only a small portion of the western edge of this site falls within the survey corridor. Erosion and recreational travel have impacted the site.

Site 26CK23/6291 is located south of the Hacienda Hotel and Casino on the north slope of a mountain directly adjacent to both the existing U.S. 93 highway and the proposed corridor for the Southern Alternative. The area is known historically as the site of the Sullivan Turquoise Mine and several vertical shafts remain from the historic mining activities. Turquoise and hematite (red ochre/paint) were also extracted from this area by Native Americans for ceremonial and trade purposes. Despite the recovery of Native American objects during a previous archaeological investigation of the site in 1929 by Mark Harrington, no evidence indicating that any of the existing mining-related features are prehistoric in age was identified during the current reinvestigation of the site. In addition to the historic mining activities, the site has been impacted by modern gravel extraction and the construction of a gas station and helipad associated with the Hacienda Hotel and Casino.

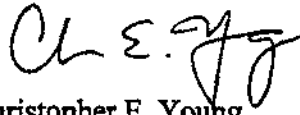
With the exception of the Sullivan Turquoise Mine site (26CK23/6291), the Nevada State Historic Preservation Officer (SHPO) has determined that the Native American properties discussed above are not significant and thus warrant no mitigation efforts.

Based on the information provided above and within the enclosed report:

1. Does the tribe have any concerns or comments regarding any of the Native American properties identified along or adjacent to the Southern Alternative corridor?
2. Does the tribe have any concerns or comments specifically pertaining to the Sullivan Turquoise Mine site area (26CK23/6291) as it relates to traditional cultural activities significant to your tribe?
3. Does the tribe have any concerns or comments regarding additional traditional cultural properties (TCPs) that may be in the area that are of religious or cultural significance to your tribe?

Representatives of the Las Vegas Paiute Tribe and the Pahrump Paiute Tribe have indicated that a field inspection of the project area is necessary. If you, Calvin Meyers, or any other tribal members would like to participate in this field trip, please contact me as soon as possible. I will be away from the office for the last week of July and the first week of August. Upon my return, I will begin contacting the tribes to coordinate a date for the field trip so that we may better address the questions presented above. If you have any further questions, please feel free to contact me. Thank you very much for your time.

Sincerely Yours,



Christopher E. Young
Native American Consultation Coordinator

cc: Ted Bendure, FHWA Environmental Program Manager
enc: Report, Blair et al. (2001)



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

KENNY C. GUINN
Governor

TOM STEPHENS, P.E., Director

July 16, 2002

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Mr. Chad Smith
Tribal Archaeologist
AhaMakav Cultural Society
Fort Mojave Indian Tribe
P.O. Box 5990
Mohave Valley, AZ 86440

Dear Mr. Smith:

This letter is to inform you that a decision has been made concerning the proposed route of the Boulder City/U.S. 93 Corridor project. After careful review, the Federal Highway Administration (FHWA) has decided to pursue the construction of Alternative D, the "Southern Alternative". The consultation process for this project was initiated with your tribe through a letter from FHWA dated June 19, 2001. Since then FHWA/NDOT have had several exchanges of correspondence. Most recently, I forwarded you copies of cultural and historical resources inventories for the project. There has been no further communication between FHWA/NDOT and the tribe on this matter.

As FHWA's agent in these matters, I seek to continue our dialog and elicit any further comments or concerns your tribe may have regarding places that may be of cultural or religious significance that may be impacted by the construction of this project.

Below you will find a summary of the proposed project and a brief outline of Native American cultural resources that were identified for the Southern Alternative route.

Project Description

In an effort to relieve traffic problems and address traffic safety issues along U.S. 93 in and around Boulder City, Nevada, FHWA, in cooperation with the Nevada Department of Transportation (NDOT) and concerned federal, state, and local agencies, is proposing to construct a new bypass of U.S. 93 around the community of Boulder City. After going through the appropriate review process it has been decided that the Southern Alternative will be the alignment constructed. This alignment begins at the Foothills overpass in Henderson, approximately .7 mile northwest of Railroad Pass. From Railroad Pass it travels south for about a mile and then turns due east for a couple miles south of Boulder City. The route then travels in

a northerly direction for a couple miles through the Eldorado Mountains to rejoin existing U.S. 93 at point just east of the Hacienda Hotel and Casino. The highway will be a four lane divided highway with interchanges at Foothills Road in Henderson, at US. 95 at the north end of Eldorado Valley, and near the Hacienda Hotel and Casino.

Cultural Resources

The Harry Reid Center for Environmental Studies (HRC) conducted cultural resource investigations for CH2M HILL on the behalf of NDOT and FHWA along three proposed routes for the Boulder City Corridor project. These investigations included a review of existing literature as well as the intensive pedestrian survey of a 1000' foot-wide corridor for each alternative.

A review of the existing literature and the pedestrian survey identified four Native American sites (26CK6266, 26CK6268, 26CK6269, 26CK6270) within the Southern Alternative corridor, six isolated artifacts, and one site (26CK23/6291) directly adjacent to the corridor. Maps showing the locations of the sites and isolates in question can be found in the enclosed report beginning on page 6.

The six isolated Native American finds include a metate fragment, a Pyramid Gray ceramic sherd, and four chipped stone cores/nodes.

Site 26CK6266 is a scatter of five chipped stone flakes within a 45 m² area. Two trowel probes revealed no subsurface finds.

Site 26CK6268 consists of 13 ceramic sherds within a 19 m² area representing at least two separate vessels. Two trowel probes revealed no subsurface finds.

Site 26CK6269 is a single 2 m diameter rock circle with an opening to the southwest. No other cultural remains are associated with the alignment. A single trowel probe in the center of the feature revealed no subsurface finds.

Site 26CK6270 is a 300 x 150 m area with one utilized chipped stone flake, seven stone cores and more than 50 chipped stone waste flakes. Several unmodified toolstone nodules are also present suggesting the area may have been a toolstone source location. A single 25 x 25 x 10 cm trowel probe yielded a single chipped stone flake 3 cm below surface. Only a small portion of the western edge of this site falls within the survey corridor. Erosion and recreational travel have impacted the site.

Site 26CK23/6291 is located south of the Hacienda Hotel and Casino on the north slope of a mountain directly adjacent to both the existing U.S. 93 highway and the proposed corridor for the Southern Alternative. The area is known historically as the site of the Sullivan Turquoise Mine and several vertical shafts remain from the historic mining activities. Turquoise and hematite (red ochre/paint) were also extracted from this area by Native Americans for ceremonial and trade purposes. Despite the recovery of Native American objects during a previous archaeological investigation of the site in 1929 by Mark Harrington, no evidence indicating that any of the existing mining-related features are prehistoric in age was identified during the current reinvestigation of the site. In addition to the historic mining activities, the site

has been impacted by modern gravel extraction and the construction of a gas station and helipad associated with the Hacienda Hotel and Casino.

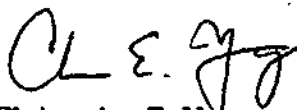
With the exception of the Sullivan Turquoise Mine site (26CK23/6291), the Nevada State Historic Preservation Officer (SHPO) has determined that the Native American properties discussed above are not significant and thus warrant no mitigation efforts.

Based on the information provided above and within the enclosed report:

1. Does the tribe have any concerns or comments regarding any of the Native American properties identified along or adjacent to the Southern Alternative corridor?
2. Does the tribe have any concerns or comments specifically pertaining to the Sullivan Turquoise Mine site area (26CK23/6291) as it relates to traditional cultural activities significant to your tribe?
3. Does the tribe have any concerns or comments regarding additional traditional cultural properties (TCPs) that may be in the area that are of religious or cultural significance to you?

Representatives of the Las Vegas Paiute Tribe, Moapa Paiute Tribe, and the Pahrump Paiute Tribe have indicated that a field inspection of the project area is in order. I will be away from the office for the last week of July and the first week of August. Upon my return, I will begin contacting those tribes interested in a field trip to coordinate a date for it. If you would like a representative from your tribe to participate in this field trip, please contact me as soon as possible. You can mail the enclosed response form to me or forward any written comments concerning this project to me at the above address. You can also contact me by telephone at 775-888-7483, by fax at 775-888-7504, or by email at cyoung@dot.state.nv.us. Thank you very much for your time.

Sincerely Yours,



Christopher E. Young
Native American Consultation Coordinator

cc: Ted Bendure, FHWA Environmental Program Manager

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Return to: Mr. Christopher Young
Native American Consultation Coordinator
Environmental Services Division
Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

From: Mr. Chad Smith
Tribal Archaeologist
AhaMakav Cultural Society
Fort Mojave Indian Tribe
P.O. Box 5990
Mohave Valley, AZ 86440

Reply: Please check one of the options below, or provide other comments, as appropriate.

- ☐ The Fort Mojave Indian Tribe has no further comments or concerns regarding the Native American properties identified for this project. Nor does the tribe wish to comment on any other traditional cultural properties that may exist within the project area.
- ☐ The Fort Mojave Indian Tribe Colorado River Indians Tribe defers to the other Native American tribes/groups consulted with for this project. However, we reserve the right to comment on this project in the future if necessary and wish to remain informed of the progress and outcome of the consultations with the other tribes.
- ☐ The Fort Mojave Indian Tribe Colorado River Indians Tribe requests further consultation to address our concerns and would like to participate in a field trip to the project site. Please contact the following person to discuss this matter further.

Contact Person: _____
Telephone Number: _____

Signature: Name _____
Title _____
Date _____



KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

TOM STEPHENS, P.E., Director

July 16, 2002

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Mr. Edward Smith, Chairman
Chemehuevi Indian Tribe
P.O. Box 1976
Havasu Lake, CA 92363

Dear Mr. Smith:

This letter is to inform you that a decision has been made concerning the proposed route of the Boulder City/U.S. 93 Corridor project. After careful review, the Federal Highway Administration (FHWA) has decided to pursue the construction of Alternative D, the "Southern Alternative". The consultation process for this project was initiated with your tribe through a letter from FHWA dated June 19, 2001. To date, FHWA has had no response from the Chemehuevi Tribe regarding any concerns you may have regarding places the tribe may attach cultural or religious significance to that may be impacted by construction of this project.

FHWA is again seeking the Chemehuevi Tribe's participation in government-to-government consultations on the Boulder City/U.S. 93 Corridor project as prescribed by the National Historic Preservation Act (NHPA) and other federal regulations and executive orders.

Enclosed with this letter is a copy of the cultural resources report detailing the findings of cultural resources investigations for all alternatives considered for this project. Below you will find a summary of the proposed project and a brief outline of Native American cultural resources that were identified for the Southern Alternative route.

Project Description

In an effort to relieve traffic problems and address traffic safety issues along U.S. 93 in and around Boulder City, Nevada, FHWA, in cooperation with the Nevada Department of Transportation (NDOT) and concerned federal, state, and local agencies, is proposing to construct a new bypass of U.S. 93 around the community of Boulder City. After going through the appropriate review process it has been decided that the Southern Alternative will be the alignment constructed. This alignment begins at the Foothills overpass in Henderson, approximately .7 mile northwest of Railroad Pass. From Railroad Pass it travels south for about a mile and then turns due east for a couple miles south of Boulder City. The route then travels in a northerly direction for a couple miles through the Eldorado Mountains to rejoin existing U.S.

93 at point just east of the Hacienda Hotel and Casino. The highway will be a four lane divided highway with interchanges at Foothills Road in Henderson, at US. 95 at the north end of Eldorado Valley, and near the Hacienda Hotel and Casino.

Cultural Resources

The Harry Reid Center for Environmental Studies (HRC) conducted cultural resource investigations for CH2M HILL on the behalf of NDOT and FHWA along three proposed routes for the Boulder City Corridor project. These investigations included a review of existing literature as well as the intensive pedestrian survey of a 1000' foot-wide corridor for each alternative.

A review of the existing literature and the pedestrian survey identified four Native American sites (26CK6266, 26CK6268, 26CK6269, 26CK6270) within the Southern Alternative corridor, six isolated artifacts, and one site (26CK23/6291) directly adjacent to the corridor. Maps showing the locations of the sites and isolates in question can be found in the enclosed report beginning on page 6.

The six isolated Native American finds include a metate fragment, a Pyramid Gray ceramic sherd, and four chipped stone cores/nodules.

Site 26CK6266 is a scatter of five chipped stone flakes within a 45 m² area. Two trowel probes revealed no subsurface finds.

Site 26CK6268 consists of 13 ceramic sherds within a 19 m² area representing at least two separate vessels. Two trowel probes revealed no subsurface finds.

Site 26CK6269 is a single 2 m diameter rock circle with an opening to the southwest. No other cultural remains are associated with the alignment. A single trowel probe in the center of the feature revealed no subsurface finds.

Site 26CK6270 is a 300 x 150 m area with one utilized chipped stone flake, seven stone cores and more than 50 chipped stone waste flakes. Several unmodified toolstone nodules are also present suggesting the area may have been a toolstone source location. A single 25 x 25 x 10 cm trowel probe yielded a single chipped stone flake 3 cm below surface. Only a small portion of the western edge of this site falls within the survey corridor. Erosion and recreational travel have impacted the site.

Site 26CK23/6291 is located south of the Hacienda Hotel and Casino on the north slope of a mountain directly adjacent to both the existing U.S. 93 highway and the proposed corridor for the Southern Alternative. The area is known historically as the site of the Sullivan Turquoise Mine and several vertical shafts remain from the historic mining activities. Turquoise and hematite (red ochre/paint) were also extracted from this area by Native Americans for ceremonial and trade purposes. Despite the recovery of Native American objects during a previous archaeological investigation of the site in 1929 by Mark Harrington, no evidence indicating that any of the existing mining-related features are prehistoric in age was identified

during the current reinvestigation of the site. In addition to the historic mining activities, the site has been impacted by modern gravel extraction and the construction of a gas station and helipad associated with the Hacienda Hotel and Casino.

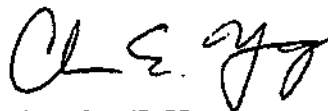
With the exception of the Sullivan Turquoise Mine site (26CK23/6291), the Nevada State Historic Preservation Officer (SHPO) has determined that the Native American properties discussed above are not significant and thus warrant no mitigation efforts.

Based on the information provided above and within the enclosed report:

1. Do you have any concerns or comments regarding any of the Native American properties identified along or adjacent to the Southern Alternative corridor?
2. Do you have any concerns or comments specifically pertaining to the Sullivan Turquoise Mine site area (26CK23/6291) as it relates to traditional cultural activities significant to your tribe?
3. Do you have any concerns or comments regarding additional traditional cultural properties (TCPs) that may be in the area that are of religious or cultural significance to your tribe?

Representatives of the Las Vegas Paiute Tribe, Moapa Paiute Tribe, and the Pahrump Paiute Tribe have indicated that a field inspection of the project area is in order. If you would like a representative from your tribe to participate in this field trip, please contact me as soon as possible. You can mail the enclosed response form to me or forward any written comments concerning this project to me at the above address. You can also contact me by telephone at 775-888-7483, by fax at 775-888-7504, or by email at cyoung@dot.state.nv.us. Thank you very much for your time.

Sincerely Yours,



Christopher E. Young
Native American Consultation Coordinator

cc: Ted Bendure, FHWA Environmental Program Manager
Dr. David Halmo, Chemehuevi Tribe NAGPRA Coordinator
enc: Response form
Report, Blair et al. (2001)

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Return to: Mr. Christopher Young
Environmental Services Division
Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

From: Mr. Edward Smith, Chairman
Chemehuevi Indian Tribe
P.O. Box 1976
Havasupai Lake, CA 92363

Reply: Please check one of the options below, or provide other comments, as appropriate.

- ☐ The Chemehuevi Indian Tribe has no comments or concerns regarding the Native American properties identified for this project. Nor does the tribe wish to comment on any other traditional cultural properties that may exist within the project area.
- ☐ The Chemehuevi Indian Tribe defers to the other Native American tribes/groups consulted with for this project. However, we reserve the right to comment on this project in the future if necessary and wish to remain informed of the progress and outcome of the consultations with the other tribes.
- ☐ The Chemehuevi Indian Tribe requests further consultation to address our concerns and would like to participate in a field trip to the project site. Please contact the following person to discuss this matter further.

Contact Person: _____
Telephone Number: _____

Signature: Name _____
Title _____
Date _____

Boulder City

June 28, 2002

To: Thomas E. Stephens, P.E., Director
Nevada Department of Transportation

John T. Price, P.E, Division Administrator
Federal Highway Administration

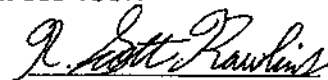
From: R. Scott Rawlins, P.E.
NDOT Project Manager

Subject: Project Management Team Recommendation of a Preferred Alternative

This letter is to give notice that the Boulder City/U.S. 93 Corridor Study Project Management Team (PMT) has come together and has agreed to move forward with a preferred alternative. Based on a detailed analysis of the three build alternatives and the no-build alternative, the PMT has agreed to further evaluate Alternative D as the preferred alternative in preparation of the Final EIS document. The PMT has identified Alternative D as the preferred alternative based on several considerations. Among them are the following:

- Alternative D maintains the quality of life of the residents of the City of Boulder City.
- Alternative D would require significantly less disruption of the existing corridor during construction than the other build alternatives.
- Alternative D lends itself to flexible staging of construction to match future funding availability.
- Based on public comments received, there is broad public acceptance of Alternative D.
- Alternative D has the least impacts to the human environment of Boulder City.
- The noise impacts on the residents of Boulder City with Alternative D are less during the construction and operation of the facility.
- Alternative D contains less visual impacts to the City of Boulder City than the other build alternatives.
- Alternative D improves the air quality along existing U.S. 93.

Please contact me if you have any questions or concerns at 888-7317.


R. Scott Rawlins, P.E.
Project Manager

Cc: Susan Martinovich, Asst. Director-Eng
Wayne Kinder, Chief Roadway Engineer
Project Management Team



600 S. Grand Central Parkway, Suite 350 • Las Vegas, Nevada 89106-4512 • 702-676-1500 • Fax: 702-676-1518

Jacob L. Snow,
General Manager

June 27, 2002

Mr. Scott Rawlins, P.E.
Project Manager
Nevada Department of Transportation
1263 S. Stewart Street
Carson City, NV 89712

BOULDER CITY/U.S. 93 CORRIDOR STUDY: SELECTION OF PREFERRED ALTERNATIVE

Dear Mr. Rawlins,

As a member of the Boulder City/U.S. 93 Corridor Study Project Management Team, we have reviewed the Draft Environmental Impact Statement and the summary of public comments received since the public hearing. The comparison of the build alternatives with the DEIS and public comment points to Alternative D, the Southern Alignment, as the preferred alternative by a relatively small margin. The selection is subject to the qualification that the National Park Service does not identify any impacts to the Lake Mead Recreation Area through which the Alternative D alignment passes that cannot be adequately mitigated. We eliminated Alternative A, the No-Build Alternative, from consideration as the preferred alternative because it did not meet the purpose and need of the project.

While we agree with the need for the improvements to the transportation network in and around Boulder City, in light of competing demands from other projects throughout Clark County, RTC staff has concerns with the estimated costs of build alternatives B, C, and D. We also feel that including the upgrade of U.S. 93 from the southerly end of the I-515 freeway at the Wagon Wheel Drive Interchange to U.S. 95 along with an upgraded U.S. 93/95 interchange is a necessary segment of all alternatives.

Sincerely,



GARY B. JOHNSON, P.E.
MANAGER, ENGINEERING

GBJ:eb

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

Subject: Boulder City/US 93 Corridor Study
SPF-093-1(010) EA:72474

Return to: Mr. Ted P. Bendure
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

From: Mr. Daniel Eddy
Colorado River Indian Tribes
Route 1, Box 23-B
Parker, AZ 85344


Reply Please check one of the options below, or provide other comments, as appropriate

- ☐ The Tribe would like to conduct formal consultation with FHWA regarding the identified project. Please contact the following person to set a time and date for the initial consultation meeting.

Contact person _____
Telephone Number: _____

- ☒ The Tribe does not see a need to conduct formal consultation with FHWA regarding the identified project. The Tribe has no further comment regarding this matter

Signature.

Name 
Title Chairman
Date 9-24-01

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Return to: Mr. Ted P. Bendure
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

From: Mr. Curtis Anderson, Chairman
Las Vegas Paiute Tribe
One Paiute Drive
Las Vegas, NV 89106

Reply: Please check one of the options below, or provide other comments, as appropriate.

☐ The Las Vegas Paiute Tribe has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction.

☒ The Las Vegas Paiute Tribe has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction. In addition, the Tribe requests that copies of official environmental and cultural resource documents prepared for this project be forwarded to the following person:

Contact Person: Kenny Anderson Request Site Visit
Telephone Number: 386-3926

☒ The Las Vegas Paiute Tribe requests further consultation to address our concerns. Please contact the following person to discuss this matter further.

Contact Person: Kenny Anderson
Telephone Number: 386-3926

Signature:

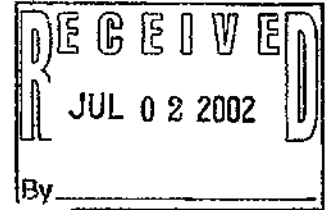
Name [Signature]
Title Manager
Date 7-2-02



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA 95814-2922

June 26, 2002



Regulatory Branch (200250139)

Mr. Michael S. Lasko, P.E.
CH2M Hill
2000 East Flamingo Road
Las Vegas, Nevada 89119-5163

Dear Mr. Lasko:

This concerns the Boulder City/U.S. 93 Corridor Study, Clark County, Nevada and the extent of jurisdictional waters of the U.S. under Section 404 of the Clean Water Act. This study centers on three build alternatives designated B, C and D that will cross and impact waters of the U.S. protected by Section 404 of the Clean Water Act. We reviewed your report dated July 2001 entitled "Wetlands Impacts Technical Study."

Some of the ephemeral washes affected by the project are waters of the U.S. because they are tributaries to "Navigable waters of the U.S." and interstate waters (Lake Mead and the Colorado River). These jurisdictional waters generally originate near Boulder City and flow northeast to Lake Mead or originate east of Boulder City and flow east to the Colorado River.

A number of affected ephemeral washes are isolated and intrastate waters. They generally originate west and south of Boulder City and flow in a southwesterly direction into Eldorado Valley (as identified in the USGS quadrangle) with termination at a dry lake. The affected washes do not have any wetlands as defined by the Corps of Engineers.

Two, virtually parallel, strips of isolated wetlands exist immediately south of the Boulder City wastewater treatment plant. The "hydrology" supporting these wetlands results from discharges of treated effluent. The wetlands are essentially used and maintained as a final stage of treatment.

In light of the SWANCC decision, the isolated, intrastate, ephemeral drainages flowing to Eldorado Valley and the isolated wetlands maintained by the treatment plant effluent (primarily crossed by Alternative D) are not waters of the U.S. because they are not: (1) "Navigable Waters of the U.S.;" (2) interstate waters; (3) part of a tributary system to (1) or (2); (4) wetlands adjacent to any of the preceding; and (5) impoundments of any of the preceding. There is not any evidence of practical navigation or any evidence of an interstate commerce nexus for these drainages and wetlands. Migratory birds may use the

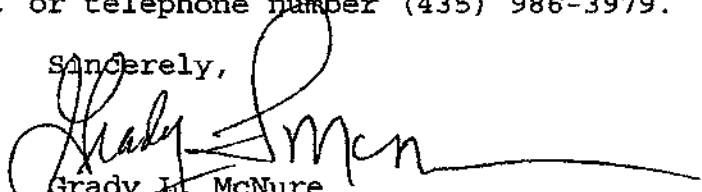
isolated wetlands below the treatment plant but this actual or potential use alone is insufficient for making a positive jurisdictional determination. Moreover, these isolated wetlands are part of the waste treatment system and are not waters of the U.S. based on 33 CFR 328.3(a)(7).

We concur with your delineation of waters of the U.S. affected by the project except as noted above. These areas are regulated by this office under Section 404 of the Clean Water Act. Activities involving discharges of dredged and fill material below the ordinary high water marks of these jurisdictional waters will require a Department of the Army permit. We suggest careful scrutiny of nationwide general permit number 14 and our Nevada Letter of Permission Procedures (copy of each enclosed) for applicability to your project.

This verification is valid for five years from the date of this letter unless new information warrants revision of the determination before the expiration date. I am also enclosing a notice of appeal options.

We assigned number 200250139 to this case. Please refer to this number in any future correspondence with this office. If you have any questions, please contact me at e-mail address, Grady.McNure@usace.army.mil, or telephone number (435) 986-3979.

Sincerely,



Grady L. McNure
Chief, St. George Regulatory Office
321 North Mall Drive, Suite L-101
St. George, Utah 84790-7310

Enclosures

Copies Furnished:

Ms. Kathy Dadey, U.S. Environmental Protection Agency, Region IX,
75 Hawthorne Street, San Francisco, California 94105-3901
Mr. Ted Bendure, Environmental Program Manager, Federal Highway
Administration, 705 North Plaza Street, Suite 220, Carson City,
Nevada 89701
Mr. Daryl James, Chief, Environmental Services Division, Nevada
Department of Transportation, 1263 South Stewart Street, Carson
City, Nevada 89712

Applicant: Nevada Dept of Transportation	File Number: 200250139	Date: 6-26-02
Attached is:	See Section below	
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/>	PERMIT DENIAL	C
<input checked="" type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I: The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/med/fed/cons/cv/cvintro.htm> or Corps regulations at 33 CFR Part 334.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the DISTRICT engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the DISTRICT engineer. Your objections must be received by the DISTRICT engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the DISTRICT engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the DISTRICT engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the DISTRICT engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the DIVISION (not district) engineer (address on reverse). This form must be received by the DIVISION engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the DIVISION (not district) engineer (address on reverse). This form must be received by the DIVISION (not district) engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the DIVISION (not district) engineer (address on reverse). This form must be received by the DIVISION engineer within 60 days of the date of this notice. Exception: JD appeals based on new information must be submitted to the DISTRICT engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION

If you have questions regarding this decision and/or the appeal process you may contact:

DISTRICT ENGINEER

Sacramento District, Corps of Engineers
Attn: Art Champ, Chief, Regulatory Branch
1325 J Street, Sacramento, CA 95814-2922

(Use this address for submittals to the **DISTRICT ENGINEER**)

If you only have questions regarding the appeal process you may also contact:

DIVISION ENGINEER

Army Engineer Division, South Pacific, CESPD-CM-O
Attn: Doug Pomeroy, Administrative Appeal Review Officer
333 Market Street, San Francisco, CA 94105 (415-977-8035)

(Use this address for submittals to the **DIVISION ENGINEER**)

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:



Department of Public Works

500 S Grand Central Pky • PO Box 554000 • Las Vegas NV 89155-4000
(702) 455-6000 • Fax (702) 455-6040

M.J. Manning, Director • E-Mail: mjm@co.clark.nv.us



June 26, 2002

Scott Rawlins, P.E., Project Manager
State of Nevada Department of Transportation
1263 S. Stewart Street
Carson City, Nevada 89702

BOULDER CITY / US 93 CORRIDOR STUDY

Dear Mr. Rawlins:

The following comments are provided from the County's review of the Draft Environmental Impact Statement for the referenced project. The comments are as follows:

1. The relative cost of all of the "build" alternatives will require a tremendous commitment for funding. This commitment would have to compete with projects throughout Southern Nevada and the State to the benefit of a relatively limited number of drivers. A cost benefit analysis should be provided as one means for comparison against other projects. The project team should look at ways of reducing costs of the facility by possibly cutting back the type of facility or by proposing ways to phase construction.
2. The majority of the comments provided herein relate to the proposed geometry of the various alternatives. The Environmental Impact Statement is driven by the roadway geometrics proposed, but the discussion of specific geometrics and alternatives has been limited. The discussion has centered around the corridors more generally. This distinction is being made because it has been the County's experience that any changes to the specifics of the geometrics following issuance of the Record of Decision can cause additional environmental studies to be conducted. The PMT should be completely satisfied with the specific design elements prior to issuance of the Final EIS.
3. All of the build alternatives result in what appears to be 70 mph design speeds for the majority, if not all of the route. This causes added impact due to excessive curve radii, vertical curves, ramp geometry, etc., which in turn results in added environmental and social impacts as well as the cost impacts previously mentioned.
4. The EIS generally results in the evaluation of impacts to a developed corridor (Alternatives B or C) against impacts to an undeveloped corridor (Alternative D). Aerial photography from as recently as 1996 indicates significant residential development has occurred immediately adjacent to the existing corridor. County staff does not agree with the relocation of a highway corridor due to development that has occurred adjacent to that existing corridor.
5. The existing Hemenway Wash corridor contains an approximate 280' wide right-of-way and, according to traffic projections, requires the addition of one lane for a total of four, and intersection safety improvements. A possible solution for the Alternative B or Alternative C corridors was proposed by the County earlier in the study process that consisted of a depressed roadway through

BOARD OF COUNTY COMMISSIONERS
DARIO HERRERA, Chairman • MYRNA WILLIAMS, Vice-Chair
YVONNE ATKINSON GATES • ERIN KENNY • MARY KINCAID-CHAUNCEY • CHIP MAXFIELD • BRUCE L. WOODBURY
THOM REILLY, County Manager

B999999001d

the Hemenway corridor with a split diamond configuration at cross-streets Lake Mountain Drive/re-aligned Nevada Way and Ville Drive. The split diamond interchange would be connected by one-way "frontage roads" that would provide a "T-intersection" at Ville Drive. Depressing US 93 would allow the cross-streets to be grade-separated without blocking lake views. Residents would be able to access downtown Boulder City via the frontage roads and Nevada Way and would not be required to access the high-speed roadway for Boulder City access.

6. The existing Railroad Pass to US 95 interchange corridor requires grade separation at the railroad and at the casino access. However, it does not necessarily require relocation of the roadway out of the corridor to meet horizontal geometry or constructability criteria. Keeping the facility in the existing corridor would eliminate impacts to undisturbed property, reduce or eliminate impacts to existing transmission lines, possibly avoid cultural resources in the area and provide for easier segmenting of projects to enable phased construction according to available funding.

In addition, keeping the alignment within the existing corridor will enable the continued use of the existing US 93 / US 95 interchange.

7. The Railroad Pass interchange for Alternative D requires drivers leaving the Las Vegas Valley to exit for the casino and for Boulder City access prior to their ability to see either destination. This should be revised to provide decision points with the destinations in view.
8. A comment similar to Item 7 above applies to the eastern study limits with respect to the Hacienda Casino, Lake Mead Access and Boulder City Access, particularly for Alternative D.
9. A truck climbing lane should be considered for the long uphill grades in addition to the 4 travel lanes proposed in all build alternatives.
10. Section 1.3, Need for the Project, states: "Traffic demand on the US 93 roadway links in the project area has exceeded available capacity." However, the volume to capacity ratios for Year 1999 in Table 1-2A are all less than 1.0. The text discussion continues on subsequent pages stating LOS D prevails throughout the corridor with the exception of the north to west movement of the US93 / US95 interchange and on the US 93 Strip Commercial Segment due to driveway access and unsignalized public street intersections. The opening statement of this section appears overstated for current conditions.
11. The 240' vertical cut required by Alternative D is difficult to accept regardless of the mitigation.
12. Figures 2-3 and 2-4. Full 12' shoulders should be provided when the shoulder is constrained by barrier rail to enhance safety for vehicles that break down or are stopped by law enforcement personnel.
13. Chapter 11, References, identifies the *Boulder City / US 93 Corridor Study Alternatives Evaluation, January 2001*, as a reference. The PMT received a CD containing revised drawings in .pdf format in November 2001. These revised drawings should be incorporated as a reference document.

Scott Rawlins
NDOT

-3-

June 26, 2002

Should you have any questions, please call the undersigned at (702) 455-6077.

M. J. MANNING
DIRECTOR OF PUBLIC WORKS

BY: 
ROBERT C. HERR, P.E.
Principal Civil Engineer

RCH:cf

cc: Denis Cederburg, Manager, Design Engineering



KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

TOM STEPHENS, P.E., Director

June 20, 2002

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Mr. Curtis Anderson, Chairman
Las Vegas Paiute Tribe
One Paiute Drive
Las Vegas, NV 89106

Dear Mr. Anderson:

In June 2001, the Federal Highway Administration (FHWA) requested your tribe's participation in government-to-government consultations on the Boulder City/U.S. 93 Corridor Project. After initiating the consultation process with the tribe through a letter dated June 19, 2001, the FHWA delegated the consultation follow-up to a private consultant. At this time the FHWA has decided to retain control of the consultation process.

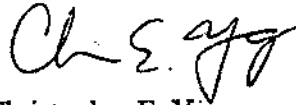
As their agent in these matters I am reinitiating contact with the Las Vegas Paiute Tribe to make sure that any concerns you may have regarding the project are properly noted and addressed by the FHWA.

To date, the FHWA has yet to receive a response from the Las Vegas Paiute Tribe regarding any concerns you may have regarding places the tribe may attach cultural or religious significance to that may be impacted by construction of this project. This request for information of what may be of a very sensitive nature is not intended as an offense to the Southern Paiute people, but instead is our good faith attempt to protect any traditional cultural properties that may be affected by this proposed project. Public access to any information you provide concerning the location, character, or ownership of these religious and cultural properties can be restricted as per Section 304 (16 U.S.C. 4702.3) of the National Historic Preservation Act (NHPA) as amended.

By now you should have already received a copy of the Draft EIS for this project. This document contains information on cultural resources and environmental studies and impacts. I invite you to please review it and comment on it. If you do not have a copy of the DEIS or if you wish to have additional copies, please contact me and I will immediately forward what you need. For your convenience I have enclosed a copy of the Federal Highway Administration Native American Consultation Response Form for this project. You can forward your comments and/or the response form directly to me or to Ted Bendure at the FHWA.

Please feel free to contact either of us with any questions you may have about this project or the or the overall FHWA program. I can be contacted by telephone at 775-888-7483, by fax at 775-888-7504, or by email at cyoung@dot.state.nv.us. Mr. Bendure can be contacted by telephone at 775-687-5322 or by fax at 775-687-3803. Thank you very much for your time.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Ch E. Young", written in a cursive style.

Christopher E. Young
Native American Consultation Coordinator

cc: Ted Bendure, FHWA Environmental Program Manager
Kenny Anderson, Las Vegas Paiute Tribe Environmental Programs Manager
enc: Response form

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Return to: Mr. Ted P. Bendure
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

From: Mr. Curtis Anderson, Chairman
Las Vegas Paiute Tribe
One Paiute Drive
Las Vegas, NV 89106

Reply: Please check one of the options below, or provide other comments, as appropriate.

- ☐ The Las Vegas Paiute Tribe has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction.
- ☐ The Las Vegas Paiute Tribe has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction. In addition, the Tribe requests that copies of official environmental and cultural resource documents prepared for this project be forwarded to the following person:

Contact Person: _____

Telephone Number: _____

- ☐ The Las Vegas Paiute Tribe requests further consultation to address our concerns. Please contact the following person to discuss this matter further.

Contact Person: _____

Telephone Number: _____

Signature: Name _____
Title _____
Date _____



KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

TOM STEPHENS, P.E., Director

June 20, 2002

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Mr. Richard Arnold, Chairman
Pahrump Paiute Tribe
P.O. Box 3411
Pahrump, NV 89041

Dear Mr. Arnold:

In June 2001, the Federal Highway Administration (FHWA) formally requested your tribe's participation in government-to-government consultations on the Boulder City/U.S. 93 Corridor Project. After initiating the consultation process with the tribe through a letter dated June 19, 2001, the FHWA delegated the consultation follow-up to a private consultant. At this time the FHWA has decided to retain control of the consultation process. As their agent in these matters I am reinitiating contact with the Pahrump Paiute Tribe to make sure that any concerns you may have regarding the project are properly addressed by the FHWA.

To date, the only communication FHWA has had with you concerning this project is a letter, dated February 25, 2000. This letter was sent to John Price (FHWA Division Administrator) in response to a "scooping" letter sent out by FHWA on February 11, 2000. In your letter you highlight several issues pertinent to the undertaking in question. I respectfully request that you contact me so that the FHWA can more adequately address the issues highlighted in your letter.

By now you should have already received a copy of the Draft EIS for this project. This document contains information on cultural resources and environmental studies and impacts. I invite you to please review it and comment on it. If you do not have a copy of the DEIS or if you wish to have additional copies, please contact me and I will immediately forward what you need. You can forward your comments directly to me or to Ted Bendure at the FHWA. Please feel free to contact either of us with any questions you may have about this project or the overall FHWA program. I can be contacted by telephone at 775-888-7483, by fax at 775-888-7504, or by email at cyoung@dot.state.nv.us. Mr. Bendure can be contacted by telephone at 775-687-5322 or by fax at 775-687-3803. Thank you very much for your time.

Sincerely Yours,

ChE. Young
Christopher E. Young

Native American Consultation Coordinator

cc: Ted Bendure, FHWA Environmental Program Manager



KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

TOM STEPHENS, P.E., Director

June 20, 2002

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Mr. Edward Smith, Chairman
Chemehuevi Indian Tribe
P.O. Box 1976
Havasup Lake, CA 92363

Dear Mr. Smith:

In June 2001, the Federal Highway Administration (FHWA) requested your tribe's participation in government-to-government consultations on the Boulder City/U.S. 93 Corridor Project. After initiating the consultation process with the tribe through a letter dated June 19, 2001, the FHWA delegated the consultation follow-up to a private consultant. At this time the FHWA has decided to retain control of the consultation process.

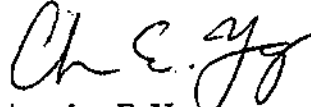
As their agent in these matters I am reinitiating contact with the Chemehuevi Tribe to make sure that any concerns you may have regarding the project are properly noted and addressed by the FHWA.

To date, the FHWA has yet to receive a response from the Chemehuevi Tribe regarding any concerns you may have regarding places the tribe may attach cultural or religious significance to that may be impacted by construction of this project. This request for information of what may be of a very sensitive nature is not intended as an offense to the Chemehuevi people, but instead is our good faith attempt to protect any traditional cultural properties that may be affected by this proposed project. Public access to any information you provide concerning the location, character, or ownership of these religious and cultural properties can be restricted as per Section 304 (16 U.S.C. 4702.3) of the National Historic Preservation Act (NHPA) as amended.

By now you should have already received a copy of the Draft EIS for this project. This document contains information on cultural resources and environmental studies and impacts. I invite you to please review it and comment on it. If you do not have a copy of the DEIS or if you wish to have additional copies, please contact me and I will immediately forward what you need. For your convenience I have enclosed a copy of the Federal Highway Administration Native American Consultation Response Form for this project. You can forward your comments and/or the response form directly to me or to Ted Bendure at the FHWA.

Please feel free to contact either of us with any questions you may have about this project or the or the overall FHWA program. I can be contacted by telephone at 775-888-7483, by fax at 775-888-7504, or by email at cyoung@dot.state.nv.us. Mr. Bendure can be contacted by telephone at 775-687-5322 or by fax at 775-687-3803. Thank you very much for your time.

Sincerely Yours,

A handwritten signature in black ink, appearing to read 'Ch E. Young', written in a cursive style.

Christopher E. Young
Native American Consultation Coordinator

cc: Ted Bendure, FHWA Environmental Program Manager
Dr. David Halmo, Chemehuevi Tribe NAGPRA Coordinator
enc: Response form

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

Subject: Boulder City/U.S. 93 Corridor Project
SPF-093-1 (010) EA: 72474 CL00-051R

Return to: Mr. Ted P. Bendure
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

From: Mr. Edward Smith, Chairman
Chemehuevi Indian Tribe
P.O. Box 1976
Havasupai Lake, CA 92363

Reply: Please check one of the options below, or provide other comments, as appropriate.

- ☐ The Chemehuevi Indian Tribe has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction.
- ☐ The Chemehuevi Indian Tribe has no objection to the proposed project as planned based on the information provided. However, we wish to remain informed of any changes to the project or discoveries of historic materials during construction. In addition, the Tribe requests that copies of official environmental and cultural resource documents prepared for this project be forwarded to the following person:

Contact Person: _____
Telephone Number: _____

- ☐ The Chemehuevi Indian Tribe requests further consultation to address our concerns. Please contact the following person to discuss this matter further.

Contact Person: _____
Telephone Number: _____

Signature: Name _____
Title _____
Date _____



KENNY C. GUINN
Governor

SCOTT K. SISCO
Interim Director

STATE OF NEVADA
DEPARTMENT OF CULTURAL AFFAIRS

716 N. Carson Street, Suite B
Carson City, Nevada 89701
(775) 687-8393 • Fax (775) 684-5446
<http://www.nevadaculture.org/>

RECEIVED

MAY 03 2002

Director's Office

DIVISIONS
Historic Preservation
Library and Archives
Museums and History
Nevada Arts Council

May 1, 2002

Mr. Thomas E. Stephens, P.E., Director
Nevada Department of Transportation
1263 South Stewart Street
Carson City, NV 89712

Dear Tom:

As you are aware, the Department of Cultural Affairs and the Division of Museums and History have long been developing a state railroad museum facility and tourist excursion train in Boulder City. Part of our plans included construction of a two and one half-mile return loop track extension in the vicinity of Railroad Pass, thereby facilitating our objective of providing a more complete round trip to include views of the Las Vegas Valley. It has also been our desire to see railroad service reestablished at the railroad crossing on U.S. Highway 93/95, which was (temporarily) paved over by DOT in 1993.

I was recently advised that copies of the Draft Boulder City/U.S. 93 Corridor and Environmental Impact Study have been released for public review and comment. After having been briefed on the portions of the study pertaining to the Boulder Branch Railroad Line, I wanted to inform you that our department is pleased to note NDOT's plans to construct a new Railroad Bridge overpass which will in effect reestablish service to the rest of the Boulder Branch Line.

As a result of this new information and our continuing struggle to obtain (and hold) funding for the loop track extension, we are reconsidering the construction of what would now exceed a \$4.2 million project in completing the loop track extension. The proposed 93/95 corridor allows us an opportunity to reconsider train operations running across the existing Highway 93/95 (tentatively scheduled to become a frontage road), to Milepost 16.50 near Wagon Wheel Drive in Henderson. While we realize that the Boulder City corridor is still a number of years from happening, the planned changes and subsequent time frame for that project are not that far off from where we would be, even if our most optimistic plans for future funding were to fall in place exactly as desired. We hope to begin operation of an abbreviated version of the ride to and from the Railroad Pass Casino in the interim.

It would be greatly appreciated if you and you staff would keep this project in mind as you move forward with the Boulder City corridor project. Please do not hesitate to contact me if I can provide additional information.

Sincerely,

Scott K. Sisco, Interim Director

SKS/ll

cc: Governor Kenny C. Guinn



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

KENNY C. GUINN
Governor

April 22, 2002

TOM STEPHENS, P.E., Director

In Reply Refer to:

Chad Smith
Tribal Archaeologist
Ahamakav Cultural Society
Fort Mojave Indian Tribe
P.O. Box 5990
Mohave Valley, AZ 86440

RE: U.S. 93 Boulder City Corridor Project
SPF-093-1 (010) CL00-51R EA: 72474

Dear Mr. Smith:

In a letter dated March 28, 2002 to Daryl James (Chief, Environmental Services Division) you requested copies of the cultural resource inventory report and historic structures survey for the Boulder City Corridor project for your review. Enclosed you will find:

A Cultural Resource Investigation of Proposed Routes for the Boulder City/US 93 Corridor Study by Lynda M. Blair et al., July 2001, Harry Reid Center for Environmental Studies.

A Cultural Resource Investigation of Proposed Routes for the Boulder City/US 93 Corridor Study, Addendum I Responses to SHPO Comments by Jeffery R. Wedding and William G. White, October 2001, Harry Reid Center for Environmental Studies.

Boulder City/U.S. 93 Corridor Study Historic Structures Survey, Volume 1: Technical Report by Kurt P. Schweigert and Teela Labrum, July 2001, Associate Cultural Resource Experts.

Boulder City/U.S. 93 Corridor Study Historic Structures Survey, Volume 2: Site Forms by Kurt P. Schweigert and Teela Labrum, July 2001, Associate Cultural Resource Experts.

The archaeological report and addendum have been approved by the SHPO's office while the historical survey is draft and being reviewed by the SHPO. Please feel free to contact me (775-888-7483) if you have any further comments, questions, or concerns.

Sincerely,

Chris Young
Native American Consultation Coordinator

cc: Ted Bendure, FHWA, Environmental Program Manager



KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

January 4, 2002

TOM STEPHENS, P.E., *Director*

In Reply Refer to:

Chad Smith
Tribal Archaeologist
Ahamakav Cultural Society
Fort Mojave Indian Tribe
P.O. Box 5990
Mohave Valley, AZ 86440

RE: U.S. 93 Boulder City Corridor Project
SPF-093-1 (010) CL00-51R EA: 72474

Dear Mr. Smith:

As per your letter dated July 12, 2001 to the Federal Highway Administration, enclosed is a copy of the cultural resource survey report for the Boulder City Corridor Project. Please feel free to phone me at (775) 888-7483, e-mail me at cyoung@dot.state.nv.us, or fax me at (775) 888-7504 if you have any further comments, questions, or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "C.E. Young".

Christopher E. Young
Native American Consultation Coordinator

enclosure



**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701-4015
September 18, 2001**

REFER TO:
HENV-NV

Subject: U.S. 93 Boulder City/U.S. 93 Corridor Study
FHWA Project: SPF-093-1 (010)
NDOT Project: CL00-51R EA: 72474

Richard Arnold, Chairman
Pahrump Paiute Tribe
P.O. Box 3411
Pahrump, NV 89041

Dear Mr. Arnold:

In your letter to Mr. John Price of the FHWA dated February 25, 2000, you stated your concerns regarding the Boulder City Corridor Project. Since then, additional attempts to contact you as part of the Native American consultation process established for this project have been unsuccessful. A Draft Environmental Impact Statement (DEIS) along with various supporting technical studies will be released in several months. We will make sure you receive copies of that information. After reviewing those documents, consultation with your tribe as well as the Las Vegas Paiute, Moapa Paiute, Chemehuevi, Colorado River Indian Tribes, and the Fort Mojave Indian Tribe will continue. The necessity for conducting a systematic ethnographic study for this project will then be evaluated.

We look forward to working with you on this proposed project. If we can be of any assistance, please don't hesitate to contact me.

Sincerely yours,

Ted P. Bendure
Environmental Program Manager

D:\MyFiles\ENV-01\BC Corridor\Arnold LtrA.doc



**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701-4015
September 18, 2001**

REFER TO:
HENV-NV

Subject: U.S. 93 Boulder City Corridor Project
FHWA Project: SPF-093-1 (010)
NDOT Project: CL00-51R EA: 72474

Chad Smith
Tribal Archaeologist
Ahamakav Cultural Society
Ft. Mojave Indian Tribe
P.O. Box 5990
Mohave Valley, AZ 86440

Dear Mr. Smith:

In a letter dated July 12, 2001, you requested that we forward along copies of the cultural resource reports and documents generated for the Boulder City Corridor Project. The documents in question are currently under review by the Nevada SHPO. Once they have been reviewed by the SHPO, we will send you the requested information. Additionally, once the Draft Environmental Impact Statement and supporting technical documents have been released further consultation will be undertaken. We will make sure you receive copies of that information. After reviewing those documents, consultation with your tribe as well as the Las Vegas Paiute, Moapa Paiute, Pahrump Paiute, Chemehuevi, and the Colorado River Indian Tribes will continue. The necessity for conducting a systematic ethnographic study for this project will then be evaluated.

We look forward to working with you on this proposed project. If we can be of any assistance, please don't hesitate to contact me.

Sincerely yours,

Ted P. Bendure
Environmental Program Manager

D:\MyFiles\ENV-01\BC Corridor\Ft Mojave LtrA.doc

United States Department of the Interior



NATIONAL PARK SERVICE

LAKE MEAD NATIONAL RECREATION AREA
601 NEVADA HIGHWAY
BOULDER CITY, NEVADA 89005

IN REPLY REFER TO
H4217 (LAME-RM)

September 17, 2001

Tom Greco, Project Manager
Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

Dear Mr. Greco:

Thank you for giving the National Park Service (NPS) the opportunity to comment on the cultural resource inventory reports for the Boulder City Bypass Project. The reports include the *Boulder City/US 93 Corridor Study Historic Structures Survey Volumes 1 and 2* prepared by Associated Cultural Resource Experts (ACRE) and authored by Kurt P. Schweigert and Tecla Labrum, and *A Cultural Resource Investigation of Proposed Routes for the Boulder City/US 93 Corridor Study Part I and Part II*, prepared by the Harry Reid Center for Environmental Studies (HRC) and authored by Lynda M. Blair and Jeffery Wedding. The NPS has reviewed the reports and recommends some changes (see enclosed reviews).

The NPS concurs with the National Register of Historic Places (NRHP) eligibility recommendations made by ACRE (Table 1) for the historic structures located entirely or partially on NPS lands.

Table 1: NRHP eligibility recommendations made by ACRE for historic structures.

Site Number	Name	NRHP Eligibility	Alternative APE
26CK4046	U.S. Construction Railroad	Eligible	Alt. B, C
26CK4046b,c	Six Companies, Inc. Railroad	Eligible	Alt. B, C
26CK4956	Southern Sierras Transmission Line	Not Eligible	Alt. B, C, D
26CK5250	Hemenway Wash Road	Not Eligible	Alt. B, C, D
26CK5383	Lakeshore Road	Not Eligible	Alt. B, C
26CK6233	Boulder City Pumping Station No. 2	Eligible	Alt. B, C
26CK6234	Dam Construction Road	Not Eligible	Alt. B, C
26CK6236	Old Lakeshore Road	Eligible	Alt. B, C
26CK6237	LABPL Transmission Line 2	Eligible	Alt. B, C, D
26CK6238	LABPL Transmission Line 1	Eligible	Alt. B, C, D
26CK6240	Metropolitan Water District Line 1	Eligible	Alt. B, C, D
26CK6241	Metropolitan Water District Line 2	Not Eligible	Alt. B, C, D
26CK6242	LABPL Transmission Line 3	Eligible	Alt. B, C, D
26CK6245	Old Highway 93	Eligible	Alt. B, C
26CK6247	Old Lake Highway	Not Eligible	Alt. B, C

Table 1 Continued

26CK6248	Lake Mead National Recreation Area Maintenance Warehouse	Eligible	Alt. B, C
26CK6249	SCE North Transmission Line	Eligible	Alt. B, C, D
26CK6250	SCE South Transmission Line	Eligible	Alt. B, C, D
26CK6251	WAPA Basic South Transmission Line	Eligible	Alt. B, C, D
26CK6252	Telephone Line and Construction Road	Not Eligible	Alt. D

The NPS is considering the Alan Bible Visitor Center to be architecturally significant as a Mission 66 visitor center until a formal Determination of Eligibility can be prepared.

The NPS concurs with five of the NHRP eligibility recommendations (Table 2) made by HRC for the archeological sites located on NPS lands.

Table 2: NRHP eligibility recommendations made by HRC for archeological sites with NPS concurrence.


Site Number	Site Type	NRHP Eligibility	Alternative APE
26CK6279	Historic trash scatter	Not Eligible	Alt. C
26CK6283	Historic trash scatter	Not Eligible	Alt. B
26CK6284	Historic trash scatter	Not Eligible	Alt. B
26CK6286	Prehistoric rockshelter	Eligible	Alt. B
26CK6287	Historic trash scatter	Not Eligible	Alt. C

The NPS does not concur with the NHRP eligibility recommendations made by HRC for archeological sites 26CK23, 26CK6278, 26CK6281, 26CK6282, and 26CK6290 located on NPS lands. Sites 26CK23, 26CK6278, 26CK6281, and 26CK6290 are historic mining sites located in the McClanahan Mining District. These sites need to be evaluated within a historic mining context for that district. Site 26CK23 is also a prehistoric turquoise mine. A historic context investigating the Native American component of this site needs to be developed. HRC has recommended site 26CK6282 eligible for the NRHP under criterion d. The NPS agrees that the site is eligible for the NRHP but believes it is eligible under both criterion a and d.

The NPS has been informed by local historian Dennis McBride that the Rifle Range located on Alternative D east of Boulder City was constructed in the late 1930s and was used by the military during World War II. This site will need to be recorded and evaluated for the NRHP. Mr. McBride can be reached at the Boulder City Museum (702) 294-1988.

If you have any questions, please contact Steve Daron, staff archeologist, at (702) 293-8019.

Sincerely,


 William K. Dickinson
 Superintendent

Enclosures - 2

Cc:

Ron James, Nevada State Historic Preservation Officer, State Historic Preservation Office, 100 Stewart St., Capitol Complex, Carson City, Nevada 89701

**Second Review of Boulder City/U.S. 93 Corridor Study Historic Structures Survey,
by Kurt P. Schweigert and Teela Labrum**

**Review by Steven E. Daron
Archeologist, Lake Mead National Recreation Area**

This report is well written with coherent historic context statements and well reasoned National Register recommendations.

General Comments:

The sites recommended as not eligible for the NRHP are not plotted on the maps.

Un-numbered, Alan Bible Visitor Center: The Regional Cultural Resource Team is in their new office and Mark Luellan's new phone number is (510) 817-1409. Mr. Luellan informed me he is a historian not a historic architect.

Table 2-1: Under NRHP eligibility list the criterion for which the sites are recommended eligible and add a column for land managing agency.

It would be helpful to include in the report 7.5 minute topographic maps with the sites plotted on them.

Site Forms:

There is a reoccurring issue with Section 3B: Property Ownership, Current Owner on the Nevada State Historic Preservation Office: Historic Resources Inventory Form for the nine transmission line sites. In Section 3, the power company or water district that constructed the line is listed as the owner. Ownership is a complicated issue and needs to be explained. I believe on NPS and BOR lands the land is owned by the federal government and WAPA has rights-of-way for the transmission lines. I do not know if WAPA owns the transmission lines or if they are owned by some other entity. This could be explained on the IMACS Site Form, Part A, # 17, Land Owner. I do not know about City of Boulder City lands.

Ownership is also an issue with site 26CK6233, the Boulder City Pumping Station. The NPS owns the land that the facility is on and the city owns the structures.

Third Review of A Cultural Resource Investigation of Proposed Routes for the Boulder City/US 93 Corridor Study Part I and Part II, by Lynda M. Blair and Jeffery Wedding

Review by Steven E. Daron
Archeologist, Lake Mead National Recreation Area

This version is much improved over the last draft. However, it still reads like it is a series of excerpts from various other reports that have been pasted together with very little attempt at creating a coherent flowing narrative. The Early Twentieth Century Mining section is a good example of this problem.

INVENTORY RESULTS

Previously Recorded Sites (Pages 62 through 73): All of the sites in this section lack site maps and a discussion of the National Register criterion to justify the NRHP eligibility recommendations in Table 5.

26CK23: There is no discussion of what was originally recorded at this site, who recorded it, and when. There is historic information about the Sullivan Turquoise Mine presented in this section and in the Early Twentieth Century Mining section. Having the information split between two sections makes it difficult to get a clear understanding of the history of the site. There is very little discussion of the prehistoric mining of turquoise and the importance of turquoise to Native Americans. It is stated that no evidence was found "to indicate that any of the mining-related features of this site are of prehistoric age." Where are the prehistoric mining features described by Harrington? Have they been destroyed by Casino development? The historic context should include a discussion of Harrington's work at the site, techniques used to mine turquoise prehistorically, the significance of turquoise as a trade item, and the significance of turquoise to Native Americans today. During Native American consultation for the Hoover Dam Bypass project, the tribes expressed concern about the turquoise in the area.

26CK4044 and 26CK4045: These sites are said to be plotted on Map 7 but they are plotted on Map 4.

26CK5256: There is no discussion of the artifacts found at the site (types of artifacts, makers marks, etc.). Table 5 indicates the site is significant, however, the site form indicates the site is not significant.

26CK5257, 26CK5258, 26CK5259, and 26CK5261: There is no discussion of the artifacts found at these sites (types of artifacts, maker's marks, etc.). These sites do not have an updated site form in Appendix III.

There is no discussion about how the trash dump and debris scatters (sites 26CK5257, 26CK5259, and 26CK5261) relate to the squatters camps that were in the area.

Newly Recorded Sites (pages 85 through 146): In most cases there is no attempt to relate the sites to the historic contexts presented earlier in the report. For example, with mining sites there is no discussion of which mining district they are in or how they relate to that district.

26CK6269 (Page 91): The site form for this site indicates a trowel probe was dug but it is not plotted on the site map and it is not discussed in the text.

26CK2670 (Page 91): The site discussion indicates that an area of the site was sampled by walking closely spaced transects. The sample area is not plotted on the site map.

26CK6273 (Pages 96-99): The site form indicates the site is associated with 20th century mining. Mining is not mentioned in the site discussion. Could this site be associated with the gravel pit?

26CK6277 (Pages 108-114): The site discussion indicates that there is a modern trash dump northeast of Features 1, 2, and 3. The trash dump is not plotted on the site map. In the discussion of Feature 2 a "bulldozed path" is mentioned. The "bulldozed path" is not on the site map. In the feature discussions, Feature 11 is identified as a footpath and Feature 12 is identified as a cleared area. On the site map the footpath is labeled Feature 12 and the cleared area is labeled Feature 11.

26CK6281 (Pages 120-122): Feature 3 is not labeled on the site map. In the discussion of Feature 3, site 26CK6282 is identified as a mining camp, but in the site description for 26CK6282 the site is identified as a squatter's camp associated with the construction of Hoover Dam. Based on the site description, the photos, and the plot of the site on Map 7, the north arrow is actually pointing east.

26CK6282 (Pages 123-126): The site description states that the site is on a patented mining claim but no historical information is presented to support this statement. Is there any historical data to substantiate this statement?

26CK6284 (Page 129): The site description states the site post-dates 1950 but Part C, #4, on the site form states that the site dates from 1917 to 1929.

26CK6286 (Pages 132-139): Based on the description of the shelters, Shelter A and Shelter B are reversed on Map 28. The description of Shelter A discusses a large piece of groundstone. The groundstone is not plotted on Map 28 and is not listed in Table 23. There is no description of the ceramics found at the site.

NATIONAL REGISTER RECOMMENDATIONS

The mining site in the Alunite Mining District and the McClanahan Mining District should be evaluated within the historic context of their respective districts. In most cases this is not done.

26CK6274 (Page 148): Based on the sites association with the construction of Hoover Dam, the site should be recommended eligible under Criterion A as well as Criterion D.

26CK6277 (Page 149): The site description states on page 114 that the site dates to the 1940s. The site is recommended eligible under Criterion D because it can yield information about "early mining and the efforts of people during the Great Depression." Early mining and the Great Depression predate the 1940s.

26CK6282 (Pages 149-150): If this site is a squatters camp associated with the construction of Hoover Dam, it should be recommended eligible under Criterion A as well as Criterion D. Data recovery may be needed at this site to determine if it is a squatters camp associated with Hoover Dam or if it is a mining camp that predates dam construction.

SITE FORMS

26CK6268: The site plot on Map 5 does not agree with the UTM's and the legal location given on the site form.

26CK6269: The site plot on Map 6 does not agree with the UTM's and the legal location given on the site form.

26CK6273: The site plot on Map 4 does not agree with the UTM's and the legal location given on the site form.

26CK6283: The site plot on Map 7 does not agree with the UTM's and the legal location given on the site form.

26CK6286: Groundstone is mentioned in the Site Description but is not described under Summary of Artifacts.

There are no updated site forms for sites 26CK5257, 26CK5258, 26CK5259, and 26CK5261.



KENNY C. GUINN
Governor

SCOTT K. SISCO
Interim Director

STATE OF NEVADA
DEPARTMENT OF CULTURAL AFFAIRS
Nevada State Historic Preservation Office
100 N. Stewart Street
Carson City, Nevada 89701

RONALD M. JAMES
State Historic Preservation Officer

September 14, 2001

Ted P. Bendure
U.S. Department of Transportation
Federal Highway Administration (FHWA)
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701-4015

Re: Boulder City Corridor Study
SPF-093-1(010) EA: 72474

Dear Mr. Bendure:

The Nevada State Historic Preservation Office (SHPO) has reviewed the subject undertaking for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended. Based on the information submitted with your August 14, 2001 correspondence (received August 16, 2001), our office has the following comments.

The SHPO concurs with the Federal Highway Administration's determination that the following sites are not eligible for the National Register of Historic Places under any of the Secretary's criteria:

26Ck5257;	26Ck5259;	26Ck5261;	26Ck6266;
26Ck6268;	26Ck6269;	26Ck6271;	26Ck6272;
26Ck6273;	26Ck6275;	26Ck6276;	26Ck6279;
26Ck6280;	26Ck6281;	26Ck6283;	26Ck6284;
26Ck6285;	26Ck6287;	26Ck6288;	26Ck6289;
26Ck6290;			

The SHPO concurs with the Federal Highway Administration's determination that the following historic properties are eligible for the National Register of Historic Places under criterion D:

26Ck6270;	26Ck6274;	26Ck6277;	26Ck6282;
26Ck6286.			

The SHPO recommends that the Federal Highway Administration consider the possibility that 26Ck6274, 26Ck6277, and 26Ck6282 might also be eligible for the National Register of Historic Places under criterion A as well as D. These historic properties are possibly associated with the significant depression-era construction of Hoover Dam and numerous job applicants that appeared after the construction announcement.

Ted Bendure
September 14, 2001
Page 2

The Federal Highway Administration also identified the following historic properties in the area of potential effect for the subject undertaking:

26Ck1169/3024/5413;	26Ck5256;	26Ck5258;
26Ck5389;	26Ck5473.	

The SHPO cannot concur with the Federal Highway Administration's determination that the following sites are not eligible for the National Register of Historic Places under any of the Secretary's criteria:

26Ck6278;	26Ck6280;	26Ck6281;
26Ck6288; ...	26Ck6289.	

The SHPO cannot concur with the agency's determination because the report does not provide an historic context sufficient to evaluate the National Register eligibility of the above resources. What important historic events in the development of local and regional history could be associated with these sites? What archival research was conducted to evaluate the historic significance of these resources? Were any mineral survey maps, geological inventories, or historic maps consulted in the preparation of the inventory?

The SHPO cannot concur with the Federal Highway Administration's determination that the following is not eligible for the National Register of Historic Places under any of the Secretary's criteria:

26Ck23 /26Ck6291.

The SHPO notes that the Sullivan Turquoise Mine was identified as significant by the Native American informants participating in the ethnographic studies prepared for the Hoover Dam Bypass. The SHPO suggests that further Native American consultation should include this site as a subject for discussion. Could this site be eligible for the National Register of Historic Places as a Traditional Cultural Property?

The SHPO has information suggesting that the rifle range found on the Southern Alternative might date from 1937 and that army recruits living in the area may have used the facility to train during World War II. The SHPO suggests that the Federal Highway Administration address potential historic significance of this site. One source of information might be Mr. Dennis McBride of Boulder City.

The SHPO awaits submission of the proposed data recovery plan for the 26Ck1169/3024/5413 and the draft memorandum of agreement for treatment of the subject historic property.

Regarding the architectural component, several of the Historic Resource Inventory Forms (HRIFs) were missing one or more of the following: property ownership, Assessor's Parcel Number (APN), historic resource themes, bibliography and/or date of construction notations, photographs, site plan(s), Associated Structures photographs, USGS map(s) with photographs keyed to it and photograph continuation sheets. Many of the HRIFs did not contain all of the written descriptions or justifications that were included in Volume 1 of the Technical Report. This will be discussed with the consultant in the near future.

Ted Bendure
September 14, 2001
Page 3

While the lack of information did not hinder evaluating some of the properties, the SHPO still requires this information. Therefore, the SHPO would concur with the following determinations on the condition that the FHWA submit the missing information to this office. Once received, it will be incorporated on to the HRIFs and the entire architectural report will be added to our architectural inventory.

The SHPO concurs with the Federal Highway Administration's determination that the following properties are eligible for the National Register of Historic Places under the following criteria:

26Ck3917 -- Boulder City Historic District (Listed on NR)
26Ck4046 (a) -- U. S. Construction Railroad (Criteria A and C)
26Ck4046 (b) & (c) -- Six Companies, Inc. Railroad (Criteria A and C)
26Ck5414 -- UPRR Boulder City Branch Railroad (Criteria A and C)
26Ck6202 -- 12 Valley View Lane (Criteria A and C)
26Ck6204 -- 14 Valley View Lane (Criteria A and C)
26Ck6206 -- 200 Donner Way (Criteria A and C)
26Ck6211 -- 205 Donner Way (Criteria A and C)
26Ck6216 -- 305 Lakeview Dr. (Criteria A and C)
26Ck6233 -- Boulder City Pumping Station #2 (Criteria A and C)
26Ck6236 -- Old Lakeshore Road (Criteria A and C)
26Ck6240 -- MWD Transmission Line 1 (Previously determined eligible under Criteria A)
26Ck6245 -- Old US Highway 93 (Criteria A and C)
26Ck6248 -- Lake Mead National Recreation Area Maintenance Warehouse (Criteria A and C)

The SHPO concurs with the Federal Highway Administration's determination that the following properties are not eligible for the National Register of Historic Places (NR) under any of the Secretary's criteria:

26Ck4956;	26Ck6207;	26Ck6224;
26Ck6193;	26Ck6208;	26Ck6225;
26Ck6194;	26Ck6209;	26Ck6226;
26Ck6195;	26Ck6210;	26Ck6227;
26Ck6196;	26Ck6212;	26Ck6234;
26Ck6197;	26Ck6213;	26Ck6241;
26Ck6198;	26Ck6214;	26Ck6243;
26Ck6199;	26Ck6217;	26Ck6254;
26Ck6200;	26Ck6218;	26Ck6256;
26Ck6201;	26Ck6219;	26Ck6258.
26Ck6203;	26Ck6222;	
26Ck6205;	26Ck6223;	

At this time, the SHPO needs additional information regarding the following sites:

26Ck5260 -- Hemenway Wash Road: The report noted this was the first road from Las Vegas to Boulder City and that segments of the road to the east of Railroad Pass have good integrity

from the 1930s period. Why is this segment not being considered eligible to the NR? A USGS map and photographs keyed to it are also needed for the inventory and to demonstrate integrity.

- 26Ck5383 - Lakeshore Road: Photographs of the road are missing. A USGS map and photographs keyed to it are needed for the inventory and to demonstrate integrity.
- 26Ck6215 - 303 Lakeview Dr.: It would appear that this property fits the physical characteristics of the typical McKeeversville house. Further discussion is needed regarding why this building lacks the integrity for consideration under Criterion C. Is stucco the determining factor for its NR eligibility disqualification? Was stucco used when the McKeeversville buildings were constructed in the 1930s?
- 26Ck6220 - 307 Ridge Rd.: It would appear that this property also fits the physical characteristics of the typical McKeeversville house and would be eligible under Criteria C. Are the windows the determining factor? Further discussion is needed regarding why this building lacks the integrity for consideration under Criterion C.
- 26Ck6221 - 205 Lakeview Dr.: It would appear that this property fits the physical characteristics of the typical McKeeversville house. Is the metal roof the determining factor for its disqualification for eligibility under Criteria C? Were metal roofs used when the McKeeversville buildings were constructed in the 1930s and 40s? Further discussion is needed regarding why this building lacks the integrity for consideration under Criteria C.
- 26Ck6228 - 1300 Nevada Hwy.: Further discussion regarding the commercial development of Boulder City is needed to evaluate this building under Criteria A and C. The report states that the commercial development was not a major factor in the establishment and occupation of Boulder City or the construction of Hoover Dam, however, what was commercial development in Boulder City during and after the war (c. 1941-1951)? Also, please include a copy of the c.1941 photograph of the building for the HRIIF.
- 26Ck6229 and 26Ck6230 - 1304 and 1310 Nevada Hwy.: As for the previous site, further discussion regarding the commercial development of Boulder City between 1941 and 1951 is needed to evaluate these buildings under Criteria A and C. Also, please include a copy of the c.1941 photograph for the HRIIF.
- 26Ck2631 - 1500 Nevada Hwy.: Additional information is needed regarding the historic context for this commercial building. What was occurring in Boulder City during and after the war? Who were the primary businesses and what did they operate? Did the government operate such venues? Also, it is unclear in the documentation when this building was constructed and why it is lacking integrity. Although there is a large addition to the building, it is located at the rear of the building. It does not impact the primary facade. The Secretary of the Interior's Standards for the Treatment of Historic Properties and Rehabilitation permits additions as long as it does not severely impact those character defining features. It would appear that in this case, the addition does not meet that threshold.

- 26Ck6232 – Bootleg Canyon Road: A USGS map with photographs keyed to it are needed for the inventory and to determine integrity.
- 26Ck6235 – Old Airport Terminal: Additional information is needed regarding the historic context for this airport. When did air service arrive in Boulder City? Was it the first airport in the area? Who did it cater to primarily? Also, a historic view of the terminal and a site plan is needed for the inventory and to demonstrate integrity.
- 26Ck6237 – LABPL Transmission Line No.2: Photographs and a USGS map and with those photographs keyed to it are needed for the inventory and to demonstrate integrity. Also, page 3 of the HRIF is missing.
- 26Ck6238 – LABPL Transmission Line No. 1: Photographs and a USGS map and with those photographs keyed to it are needed for the inventory and to demonstrate integrity.
- 26Ck6240 – MWD Transmission Line No. 1: Has this line been evaluated under Criteria C? If so, what were the findings and justifications? Photographs and a USGS map and with those photographs keyed to it are needed for the inventory and to demonstrate integrity.
- 26Ck6242 – LABPL Transmission Line No. 3: Photographs and a USGS map and with those photographs keyed to it are needed for the inventory and to demonstrate integrity. The HRIF is missing a portion of justification.
- 26Ck6244 - Old Airport Hanger: Additional information is needed regarding the historic context for this hanger. When did air service arrive in Boulder City? How did it develop in the area? Who was the Nevada congressman who sought to bring the Navy to Boulder City? What businesses occupied the hanger? Is this the only hanger remaining from this period or are there others? Also, the Associated Structures/Features Form and photographs are needed for the fuel tank concrete cradles, concrete foundations (2), and wood frame building.
- 26Ck6246 - Old US Highway 95: Additional information is needed regarding the historic context for this road. Was this the first paved road connecting Searchlight with Las Vegas? Were there political, or economic reasons for its construction? Was there significant activity in Searchlight at the time? A USGS map and photographs keyed to it are needed for the inventory and to demonstrate integrity.
- 26Ck6247 - Old Lake Highway: A USGS map and photographs keyed to it are needed for the inventory and to demonstrate integrity.
- 26Ck6249 - Southern California Edison North Transmission Line: A USGS map and photographs keyed to it are needed for the inventory and to demonstrate integrity. Has this line been evaluated under Criteria C? If so, what were the findings and justifications? The SHPO also needs clarification as to which segments are eligible and under which Criteria.

- 26Ck6250 - Southern California Edison South Transmission Line: Photographs and a USGS map and with those photographs keyed to it are needed for the inventory and to demonstrate integrity. The SHPO also needs clarification as to which segments are eligible and under which Criteria. The HRIF does not incorporate the information from the technical report.
- 26Ck6251 - Hoover Basic South Transmission Line: The written description of the property is missing. Please submit USGS maps and photographs keyed to it to demonstrate integrity. The SHPO also needs clarification as to which segments are eligible and under which Criteria. Also, the HRIF does not incorporate the information from the technical report (volume 1).
- 26Ck6252 - Telephone Line and Construction Road: Additional information is needed regarding the historic context for this line. When was phone service brought to Boulder City? When was it expanded? Who were the companies involved? Was there more than one telephone line? If so, where? A USGS map and photographs keyed to it is also needed for the inventory and to demonstrate integrity.
- 26Ck6253 - Transmission Line: Additional information is needed regarding the historic context and the written description. Who actually owned the line? Was it indeed a part of the 1942 line from the Basic Tap Substation or was it replaced in 1994? How many wires did it carry? Were the poles used throughout the line the same diameter? A USGS map and photographs keyed to it is also needed for the inventory and to demonstrate integrity.
- 26Ck6255 - Basic Tap/Boulder City Tap Substation: Additional information is needed regarding the historic context for this substation from 1942 to 1951. The HRIF notes this was Boulder City's principal source of electricity from 1942 to 1964. How vital was this line to Boulder City during this time? A USGS map and photographs keyed to it are also needed of the 1942 and 1994 substation complexes as well as a site plan showing their location and proximity to one another. These are needed for the inventory and to demonstrate integrity.
- 26Ck6257 - 1306 Nevada Highway: Additional information is needed regarding the historic context for this commercial building.
- 26Ck6259 - 200 Lakeview Dr.: The HRIF and photographs show a property that fits the physical characteristics of the typical McKeeverville house. A search at the Clark County Assessor's Office Website (<http://www.co.clark.nv.us/assessor>) revealed it was constructed in 1941. Further discussion is needed regarding why this building lacks the integrity for consideration under Criteria C.

The following property remains unevaluated.

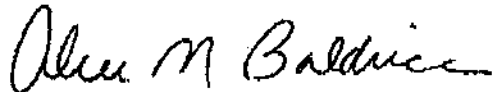
Alan Bible Visitor Center

In summary, as it stands now, we are unable to concur with many of the determinations of eligibility, and therefore effects to properties without the information required above. If you have any questions or comments regarding this correspondence, please contact Rebecca R. Ossa, Architectural Historian

Ted Bendure
September 14, 2001
Page 7

at 775-684-3441 or via email at: rossa@clan.lib.nv.us or Rebecca Palmer at 775-684-3443 or via email at: ripalmer@clan.lib.nv.us.

Sincerely,

A handwritten signature in cursive script that reads "Alice M. Baldrice". The signature is written in dark ink and is positioned above the printed name and title.

Alice M. Baldrice, Deputy
State Historic Preservation Officer



Department of Energy
Western Area Power Administration
P.O. Box 281213
Lakewood, CO 80228-8213

Ted P. Bendure, Environmental Program Manager
U.S. Department of Transportation
Federal Highway Administration
705 N. Plaza St., Ste. 220
Carson City, NV 89701

RE: Boulder City/U.S. 93 Corridor Study
Project: SPF-093-1(010)

Dear Mr. Bendure:

The Western Area Power Administration (Western) has reviewed your August 28 letter concerning use of Land and Water Conservation Fund (LWCF) monies to purchase or improve any of the recreational lands that may be impacted by the Boulder City/U.S. 93 Corridor Study.

Western does not administer or manage public lands for recreational purposes. Western does own, operate, and maintain a number of transmission lines and related facilities, including the Mead Substation, which is about one-half mile south of Boulder City, Nevada.

Western's Mead Substation occupies approximately 4,000 acres of withdrawn public lands. Some of these lands may be impacted by improvements to or realignment of U.S. Highway 93. It is unclear from your letter whether any of the lands occupied by the substation or the adjoining withdrawn lands will be needed for the highway corridor. Depending on the final route selected for U.S. 93, Western expects that one or more transmission line structures within or near the highway corridor will need to be relocated. LWCF monies are not available for this kind of reconstruction, so Western will not apply for any of these funds to relocate its structures. The access to the Mead Substation, which is provided by Buchanan Boulevard, may be improved by the proposed project, but no LWCF monies will be used for that purpose either.

Therefore, in response to your inquiry, Western has neither applied for nor received any LWCF monies to purchase or improve recreation lands that may be impacted by the U.S. 93 highway project. Your letter states that FHWA will solicit input from the National Park Service (NPS) about any lands identified by Western to be transferred under section 6(f) of the LWCF Act. Western has not identified any such lands, and from Western's perspective, the NPS is the proper agency to contact for any information about land conversions under the Act related to the proposed highway improvements and/or realignment.



Printed on recycled paper

Thank you for the opportunity to provide comments. If you have any questions, please call Ms. Carla Cristelli, Realty Officer, for Western's Desert Southwest Region, at 602-352-2554.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Steven Warner". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

R. Steven Warner
Lands Manager



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701-4015
September 13, 2001

REFER TO:
HENV-NV

Subject: U.S. 93 Boulder City/U.S. 93 Corridor Study
FHWA Project: SPF-093-1 (010)
NDOT Project: CL00-51R EA: 72474

Richard Arnold, Chairman
Pahrump Paiute Tribe
P.O. Box 3411
Pahrump, NV 89041

Dear Mr. Arnold:

In your letter to Mr. John Price of the FHWA dated February 25, 2000, you stated your concerns regarding the Boulder City Corridor Project. Since then, additional attempts to contact you as part of the Native American consultation process established for this project have been unsuccessful. A Draft Environmental Impact Statement (DEIS) along with various supporting technical studies will be released in several months. We will make sure you receive copies of that information. After reviewing those documents, consultation with your tribe as well as the Las Vegas Paiute, Moapa Paiute, Chemehuevi, Colorado River Indian Tribes, and the Fort Mojave Indian Tribe will continue. The necessity for conducting a systematic ethnographic study for this project will then be evaluated.

We look forward to working with you on this proposed project. If we can be of any assistance, please don't hesitate to contact me.

Sincerely yours,

Ted P. Bendure
Environmental Program Manager



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701-4015
September 13, 2001

REFER TO:
HENV-NV

Subject: U.S. 93 Boulder City Corridor Project
FHWA Project: SPF-093-1 (010)
NDOT Project: CL00-51R EA: 72474

Chad Smith
Tribal Archaeologist
Ahamakav Cultural Society
Ft. Mojave Indian Tribe
P.O. Box 5990
Mohave Valley, AZ 86440

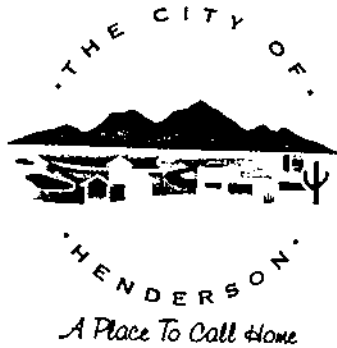
Dear Mr. Smith:

In a letter dated July 12, 2001, you requested that we forward along copies of the cultural resource reports and documents generated for the Boulder City Corridor Project. The documents in question are currently under review by the Nevada SHPO. Once they have been reviewed by the SHPO, we will send you the requested information. Additionally, once the Draft Environmental Impact Statement and supporting technical documents have been released further consultation will be undertaken. We will make sure you receive copies of that information. After reviewing those documents, consultation with your tribe as well as the Las Vegas Paiute, Moapa Paiute, Pahrump Paiute, Chemehuevi, and the Colorado River Indian Tribes will continue. The necessity for conducting a systematic ethnographic study for this project will then be evaluated.

We look forward to working with you on this proposed project. If we can be of any assistance, please don't hesitate to contact me.

Sincerely yours,

Ted P. Bendure
Environmental Program Manager



September 11, 2001

Mr. Ted P. Bendure
Environmental Program Manager
Federal Highway Administration
U.S. Department of Transportation
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

Re: Boulder City/U.S. 93 Corridor Study
Project: SPF-093-1 (010)

Dear Mr. Bendure:

Per our Land Management Division, no Land and Water Conservation Fund (LWCF) monies were used by the City of Henderson to purchase or improve any of the recreational lands that may be impacted by the Boulder City/U.S. 93 Corridor Study.

Hopefully this information will be sufficient. If additional information is needed, please contact me at (702) 565-2107.

Sincerely,

George A. Nelson, P.E.
Engineering Services Manager
City of Henderson

GAN:jh



United States Department of the Interior

BUREAU OF RECLAMATION

Lower Colorado Regional Office

P.O. Box 61470

Boulder City, NV 89006-1470

IN REPLY REFER TO

LC-2512

LND 6.00

Mr. Ted P. Bendure
Environmental Program Manager
U.S. Department of Transportation
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City NV 89701

Subject: Land and Water Conservation Funds (LWCF) Used for Recreational Lands Impacted by the Boulder City/U.S. Corridor Study (Your Letter Dated August 28, 2001)

Dear Mr. Bendure:

This letter is in response to your request for information concerning the use of LWCF monies for the purchase or improvement of recreational lands impacted by the Boulder City/U.S. Corridor Study. We are not aware that any LWCF funds have been used for these purposes for lands within the Study area.

If you have any questions, please contact Realty Specialist Dave Curtis at 702-293-8132.

Sincerely,

Deanna J. Miller, Director
Resource Management Office

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

Subject: Boulder City/US 93 Corridor Study
SPF-093-1(010) EA:72474

Return to: Mr. Ted P. Bendure
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

From: Mr. Daniel Eddy
Colorado River Indian Tribes
Route 1, Box 23-B
Parker, AZ 85344

Reply: Please check one of the options below, or provide other comments, as appropriate.

- ☐ The Tribe would like to conduct formal consultation with FHWA regarding the identified project. Please contact the following person to set a time and date for the initial consultation meeting.

Contact person: _____
Telephone Number: _____

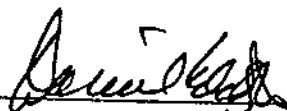
- ☒ The Tribe does not see a need to conduct formal consultation with FHWA regarding the identified project. The Tribe has no further comment regarding this matter.

Signature:

Name

Title

Date


Chairman
9-24-01



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

October 25, 2001

155933

Nevada Division of State Parks
Attention: Mr. Jim DeLoney
Park And Recreation Program Manager
1300 South Curaray Street
Carson City, NV 89703-5202

Subject: Preliminary Engineering Report - Boulder City / US 93 Corridor Study

Dear Mr. DeLoney:

We are transmitting with this letter a CD containing .pdf format files and keymaps pursuant to our telephone discussion and FHWA's authorization to release the report. The report is preliminary, subject to revisions by NDOT and FHWA, and should not be shared outside your agency. We understand that the Nevada Division of State Parks will use this information to verify lands supported by Federal Land Water Conservation Funds and are affected by this project. We respectfully request your immediate review and response in order to maintain our EIS schedule.

The files can be viewed with Adobe Acrobat Reader. This will allow you to print out sheets to mark up (or keep your office paper free) and the program allows you to zoom in on various areas of interest.

The Draft Engineering Report on the CD is divided into 2 folders for the Report Text and Appendix A. The Report Text folder is self explanatory and Appendix A contains the plan and profile drawings of the various build Alternatives. The Appendix A folder contains subfolders for the different alternatives and each alternative folder is divided into Plans, Displays and Profiles.

- Roadway Plan folder files have alphanumeric names as follows:

"Keymap" files contain an overall plan of the alternative with a key to the plan sheet layouts

"G" sheets contain horizontal alignment control information

"R" sheets contain color photo plan views of the alternatives corresponding to the keymap (e.g. Alternative "D" keymap plan sheet 7 has a file name DR7)

Page 2
October 25, 2001
155933

- **PROFILE** folder files have alphanumeric names directly corresponding to the "R" Roadway Plan files. Sheets have the letters pro in the file name (e.g. DP7 has the profiles corresponding to the plan sheet DR7)
- **display** folder files are various displays for the alternatives contained elsewhere in the report.

Alternatives have been named as follows:

- **Alt B - EX** represents the Alternatives that modify Existing US 93 along its basic current alignment
- **Alt C - TA** represents the Freeway alternative that swings north of Boulder City and then ties back into US 93 in the vicinity of Hemmenway Wash
- **Alt D - SA** represents the Southern Alternative

If you have any questions regarding this transmittal, please call John Taylor at (702) 369-6904 x236.

Sincerely,

CH2M HILL



Michael S. Lasko, PE
Project Manager

c: Ted Bendure - FHWA (Letter Only)
Tom Greco, PE - NDOT (Letter Only)
Jeff Bingham - CH2M HILL (Letter Only)
John R. Taylor - CH2M HILL (Letter Only)

Attachment

CD
Keymaps



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701-4015
August 8, 2001

IN REPLY REFER TO
HENV-NV

Subject: Boulder City Corridor Study
SPF-093-1(010) EA:72474

Mrs. Alice M. Baldrice
Deputy, State Historic Preservation Officer
Historic Preservation Office
100 S. Stewart Street, Capitol Complex
Carson City, Nevada 89710

Dear Mrs. Baldrice:

The Federal Highway Administration (FHWA) in cooperation with the Nevada Department of Transportation (NDOT) are conducting a study of the proposed alternative corridors that may be used to improve the existing US 93 transportation facility in the area of Boulder City, Nevada. At this time, a Draft Environmental Impact Statement (DEIS) is being prepared to examine the various corridors. In support of the DEIS, various cultural resource studies have been conducted to assess the potential impacts for each of the corridors. These studies included the development of an Area of Project Effect (APE) archaeological site inventory, historic structures inventory and Native American consultation.

Area of Project Effect:

After project review and consultation, the FHWA determined that an appropriate APE would include 1000 foot corridors covering each of the proposed alternatives for the archaeological site inventory. The APE for the project's historic architectural survey was determined to be the project's view shed, and the APE for the Native American consultation was determined to be the northern end of the El Dorado Valley.

Archaeological Site Inventory:

After review of the overall APE and the various existing sites within it, FHWA found that the Bureau of Reclamations (BOR) Lower Colorado Regional Office was already planning a mitigation effort for site 26Ck1169 (also recorded as: 3024 & 5413) a squatters' camp in Railroad Pass. Given that all of the US 93 alternative corridors come together at Railroad Pass, and would all have an adverse effect to the site, the NDOT/FHWA agreed to share mitigation cost with BOR for site 26Ck1169. To this end, NDOT/FHWA are working on a Memorandum of Agreement

for site 26Ck1169. To this end, NDOT/FHWA are working on a Memorandum of Agreement (MOA) regarding the mitigation of effects and cost sharing for the site. The MOA is presently in first draft form and will be forwarded to your office for review shortly.

To conduct the site inventory for the remaining portion of the APE, the *Harry Reid Center for Environmental Studies (HRC) Marjorie Barrick Museum of Natural History, University of Nevada-Las Vegas* was employed.

After background investigation, relocation and new survey were completed, a total of 35 sites were located within the APE by HRC for all three proposed corridors. These 35 sites include 26Ck1169 already being addressed by the BOR (see Table 29: Page 168) 9 sites that were previously recorded and updated for this project (see Table 5: Page 63) and 25 newly recorded sites (see Tables 26, 27 & 28: Page 165). At this time 8 of these sites are known to exist in more than one alternative (see Table 5).

Based on HRC's information on these 35 sites within the APE, the FHWA has determined that 10 of them are eligible for inclusion on the National Register of Historic Places (see Table 29: Page 168).

Historic Structures Inventory:

To conduct the historic structures inventory, a consultant *Associated Cultural Resource Experts* of Littleton, Colorado was employed. Their report consists of three binders, Volume 1 is the technical report, and Volume 2a & 2b are the structure/site records and photographs. During the survey of the APE, 74 structures were recorded and reviewed for their significance. Based on this information, the FHWA has determined that 20 of these structures are either listed on the National Register, have been determined eligible or are recommended as eligible for listing on the National Register (see Table 2-1: Page 69).

Native American Consultation:

During the initial stages of project development, the HRC assembled a plan for Native American Consultation, *Native American Consultation Plan for the Boulder City/US93 Corridor Study*. Based on that plan, the FHWA initiated formal Government-to-Government consultation through letters dated June 19, 2001.

FHWA's consultation involved the following Native American groups:

- Las Vegas Paiute Colony, Las Vegas, Nevada
- Pahrump Paiute Tribe, Pahrump, Nevada
- Moapa Business Council, Moapa, Nevada
- Chemehuevi Indian Tribe, Havasu Lake, California
- Colorado River Indian Tribes, Parker, Arizona
- Fort Mojave Indian Tribe, Needles, California
- Aha Ma Kav Cultural Society, Mojave Valley, Arizona

The results of that consultation are covered in the enclosed *Native American Consultation Report*. In summary, four tribes/groups had no response to the FHWA's request for consultation, but three requested additional work and/or information. After review, the FHWA has decided that these requests will be addressed once a preferred alternative has been chosen for the project and your office has completed its review of the reports being submitted at this time.

At this time, the FHWA is requesting your review and comment on the archaeological site inventory, the historic structures inventory, the Native American consultation to date, and the determinations of eligibility resulting from these surveys and evaluations.

The FHWA is also calling to your attention that BOR, FHWA and NDOT are drafting a Memorandum of Agreement regarding effects to site 26Ck1169, and, that the Memorandum of Agreement will be forwarded to you for review as soon as possible.

If you need additional information regarding this project please call me (775/687-5322).

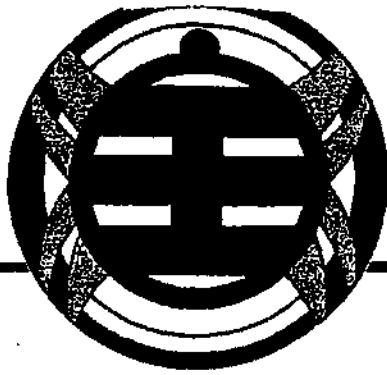
Sincerely yours,

/s/ Ted P. Bendure

Ted P. Bendure
Environmental Program Manager

Enclosures (7)

cc: Hal Turner, NDOT



AHAMAKAV CULTURAL SOCIETY

Fort Mojave Indian Tribe

P.O. 5990 MOHAVE VALLEY, AZ 86440 (520)768-4475

07-17-01 12:29 1090

July 12, 2001

Ted P. Bendure, Environmental Program Manager
Federal Highway Administration
705 N. Plaza St., Suite 220
Carson City, NV 89701

RE: Boulder City/U.S. Highway 93 Corridor Study

Dear Mr. Bendure:

The AhaMaKav Cultural Society, which is the Historic and Cultural Preservation Office of the Fort Mojave Tribe, has received and reviewed your June 19 letter regarding the above referenced study, and we cannot comment on the presence or absence of cultural resources important to the Fort Mojave Tribe prior to our review of all appropriate cultural resource reports and documents. The general area is of interest and concern to us, in that important Mojave cultural resources are present even to the north and west of Boulder City, and especially to the east and south.

It is our opinion that the proposed construction of a Boulder City transportation corridor is part and parcel of the Hoover Dam Bypass Project, wherein a bridge is proposed to be constructed in a location sacred to many Tribes. We feel that the overall undertaking has been inappropriately segmented into two projects, a bridge project, and a Boulder City Corridor project, and that one hinges upon the other. Please send us copies of the archeological survey report and then, subsequent to our review, we will have comments on that document and the presence or absence of traditional cultural properties (TCPs) and sacred sites in the area of potential effect of the proposed undertaking. If you have any questions, call us at (928)-768-4475.

Sincerely,

Chad Smith, Tribal Archeologist,
Cultural Resource Manager

xc: Elda Butler, Director, AhaMaKav Cultural Society
Nora Helton, Tribal Chairperson



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

June 19, 2001

REFER TO:
HENV-NV

Subject: Boulder City/US 93 Corridor Study
SPF-093-1 (010) EA: 72474

Addressees

Dear:

In recognition of your Tribe's position as a sovereign Tribal Government, and the Federal Highway Administration's (FHWA) responsibilities under the National Historic Preservation Act, the FHWA is requesting your Government-to-Government consultation on a proposed Federal-aid highway project.

Under the National Historic Preservation Act, the FHWA follows a process (36 CFR §800) to locate historic properties, which may be affected by the proposed project. These historic properties would include prehistoric and historic archaeological sites as well as traditional cultural properties. As part of this effort, the FHWA would like to know if there are historic properties in the proposed project area that your Tribe attaches religious or cultural significance to, and if you would like to consult with the FHWA on those historic properties?

Project Description

The proposed project description is contained in the enclosed Boulder City Corridor Study information card. You may also find the most up to date information on the proposed project at its website, <http://www.bouldercitystudy.com>

Existing Information on Historic Properties

In preparation for this project, a cultural resource review and site survey was completed for the proposed project corridors. The review found two prehistoric sites and nine historic sites that will be recommended as eligible for listing to the National Register of Historic Places. The two prehistoric sites consisted of a rockshelter and a lithic reduction or quarry site. The historic sites are sites associated with historic railroad, mining and other construction activities.

Based on the project description, existing survey information and a review of existing historic properties information:

1. Do you have any concerns regarding the previously located prehistoric or historic properties?

2. Do you have any concerns regarding properties that are of religious or cultural significance to your Tribe? These types of properties are also referred to as traditional cultural properties.

3. Do you have any concerns regarding the overall proposed project or specific parts of it?

If you would like additional information or have concerns regarding this proposed project, or the overall FHWA program, please contact me. I can be contacted by mailing the attached consultation response form, or you can FAX it to me at 775-687-3803, or you may telephone me at 775-687-5322. If you would like a meeting regarding this project, or the overall program, I would be happy to meet with you as soon as possible.

Sincerely yours,

/s/ Ted P. Bendure

Ted P. Bendure
Environmental Program Manager

Enclosures (3)

Response Form
Project Newsletter (Winter 2001)
Proposed Project Area Aerial Map

**Nevada Division Office
Federal Highway Administration
Native American Consultation
Response Form**

Subject: Boulder City/US 93 Corridor Study
SPF-093-1 (010) EA: 72474

Return to: Mr. Ted P. Bendure
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

From: Addressees

Reply: Please check one of the options below, or provide other comments, as appropriate.

- ☐ The Tribe would like to conduct formal consultation with FHWA regarding the identified project. Please contact the following person to set a time and date for the initial consultation meeting.

Contact person: _____
Telephone Number: _____

- ☐ The Tribe does not see a need to conduct formal consultation with FHWA regarding the identified project. The Tribe has no further comment regarding this matter.

Signature: Name _____
Title _____
Date _____

Ms. Elda Butler, Director
Aha Ma Kav Cultural Society
P.O. Box 5990
Mojave Valley, AZ 86440

Ms. Rosalyn Mike, Chairperson
Moapa Business Council
P.O. Box 340
Moapa, NV 89025

Mr. Curtis Anderson, Chairperson
Las Vegas Paiute Colony
Number 1, Paiute Drive
Las Vegas, NV 89106

Ms. Nora Helton, Chairperson
Fort Mojave Indian Tribe
500 Merriman Avenue
Needles, CA 92363

Mr. Daniel Eddy
Colorado River Indian Tribes
Route 1, Box 23-B
Parker, AZ. 85344

Mr. David Chavez, Chairperson
Chemehuevi Indian Tribe
P. O. Box 1976
Havasupai Lake, CA 92362

Mr. Richard Arnold, Chairperson
Pahrump Paiute Tribe
P. O. Box 3411
Pahrump, NV 89041



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701
December 14, 2000

IN REPLY REFER TO
HENV-NV

Mr. Alan O'Neill, Superintendent
National Park Service
Lake Mead National Recreation Area
601 Nevada Highway
Boulder City, NV 89005-2426

Dear Mr. O'Neill:

The Federal Highway Administration (FHWA) has given careful consideration to the points raised in your June 2, 2000 letter concerning potential impacts of Boulder City/U.S. 93 Corridor Study alternatives on significant public recreation lands within the Lake Mead National Recreation Area (LMNRA). Specifically you expressed concern about alternatives SA102 and SA102A and their impact on public recreation land designated as "Outstanding Natural Feature Subzone" with "some of the most sensitive resources within the Lake Mead NRA."

Extensive evaluation of approximately 500 miles of corridor alternatives aimed at relieving traffic congestion and safety problems along U.S. 93 in and around Boulder City has been completed. Based on the project purpose and need and a set of measurable evaluation criteria derived from critical issues raised by the public and regulatory agencies, three corridor build alternatives that appear to be the least environmentally damaging practicable alternatives have been selected for further evaluation in the Environmental Impact Statement. These alternatives are referred to as TA101, SA101C and the widening of the existing US 93. Subsequently alternatives SA102 and SA102A have been eliminated from further consideration.

If you have any questions or need additional information, please contact Mr. Ted Bendure, Environmental Program Manager at (775) 687-5322 or email ted.bendure@fhwa.dot.gov.

Sincerely yours,

John T. Price

Division Administrator

cc: Tom Greco, NDOT Proj. Mgr.



United States Department of the Interior

NATIONAL PARK SERVICE

LAKE MEAD NATIONAL RECREATION AREA

601 Nevada Highway

BOULDER CITY, NEVADA 89005-2426

IN REPLY REFER TO:

D18 (LAME-M)

June 2, 2000

Mr. John T. Price, Division Administrator
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

Dear Mr. Price:

The National Park Service has participated as a member of the Project Management Team for the Boulder City/U.S. 93 Corridor Study since the onset of the project, and as such, is familiar with the alternatives under consideration. The Team is currently assessing the range of alternatives to define three build alternatives and one no-build alternative. Through an evaluation process, a number of feasible alternatives have been identified that involve a variety of acreage of land within Lake Mead National Recreation Area (NRA). The preliminary alternatives have been reviewed in light of the National Park Service Organic Act (16 U.S.C. 1), the Redwoods Act (16 U.S.C. 1a-1), the General Authorities Act of 1970 (16 U.S.C. 1c(a)), Section 4(f) of the Department of Transportation Act of 1966(49 U.S.C. Sec. 303), Lake Mead NRA enabling legislation (Public Law 88-639) and Lake Mead NRA's General Management Plan (approved in 1986).

Early analysis of the alternatives has shown that SA102 and SA102A require a corridor approximately 4 miles in length within the Eldorado Mountains of Lake Mead NRA. These lands are within T22S; R65E; Sec.31; T23S; R65E; Sec.6 and 7; and T23S; R64E; Sec.12 and 13, and illustrated on the enclosed map. This area is identified in the park's general management plan as "Natural Zone" and further included in the "Outstanding Natural Feature Subzone." The Outstanding Natural Feature Subzone "emphasizes appreciation and perpetuation of the geological or ecological features possessing unusual intrinsic or scenic value." "The Natural Zone includes lands and waters that will be managed to conserve natural resources and ecological processes and to provide for their use and enjoyment by the public in ways that do not adversely affect these resources and processes" (NPS Management Policies).

In addition to the park's management zoning constraints, the Eldorado Mountains are identified as a "Significant Natural Feature" associated with the Black Canyon of the

Colorado River. The plan recognizes the significant geologic and scenic values with numerous hot and warm-water springs and winter habitat for the bald eagles.

The Wilderness Act of 1964 directed the Secretary of Interior to review all roadless areas within units of the National Park System and to make recommendations as to the suitability or non-suitability of each area to the President and the Congress. The lands involving this alternative are contained in Unit 11. Unit 11 is identified as potential wilderness because the Bureau of Reclamation has identified a portion of this area as a potential location for Bureau of Reclamation facilities. However, if additional facilities are determined to not be necessary for the operation of Hoover Dam, and the facilities are not developed, the area meets the Wilderness Act criteria and would be included in a park wilderness proposal. In light of the special land designations, these lands represent some of the most sensitive resources within Lake Mead NRA.

Alternatives SA101, SA101A, SA101B and SA101AB all involve the use of lands within Lake Mead NRA, but the lands are located outside the "Outstanding Natural Feature Subzone" and are not recognized as "Significant Natural Features". The same can be said for the through-town alternatives TA101, TA101A, TA101B, TA102, TA102A and TA102B. The lands affected by these alternatives are located along the existing U.S. Highway 93 corridor and all affected lands are, for the most part, visible from U.S.93. They are contained in the park's natural zone but are not recognized as special designations within Lake Mead NRA's general management plan. Each of these alternatives meets the definition of prudent and feasible alternatives to using the Eldorado Mountains corridor described above.

Finally, because alternatives SA102 and SA102A are in direct conflict with National Park Service Organic Act (16 U.S.C. 1), the Redwoods Act (16 U.S.C. 1a-1), the General Authorities Act of 1970 (16 U.S.C. 1c(a)), Section 4(f) of the Department of Transportation Act of 1966(49 U.S.C. Sec. 303), Lake Mead NRA enabling legislation (Public Law 88-639) and Lake Mead NRA's General Management Plan, and because each of the remaining corridors represents prudent and feasible alternatives to the Eldorado Mountains alternative, we respectfully request alternatives SA102 and SA102A be eliminated from further consideration.

Sincerely,

/S/ BILL DICKINSON

Alan O'Neill
Superintendent

Enclosure

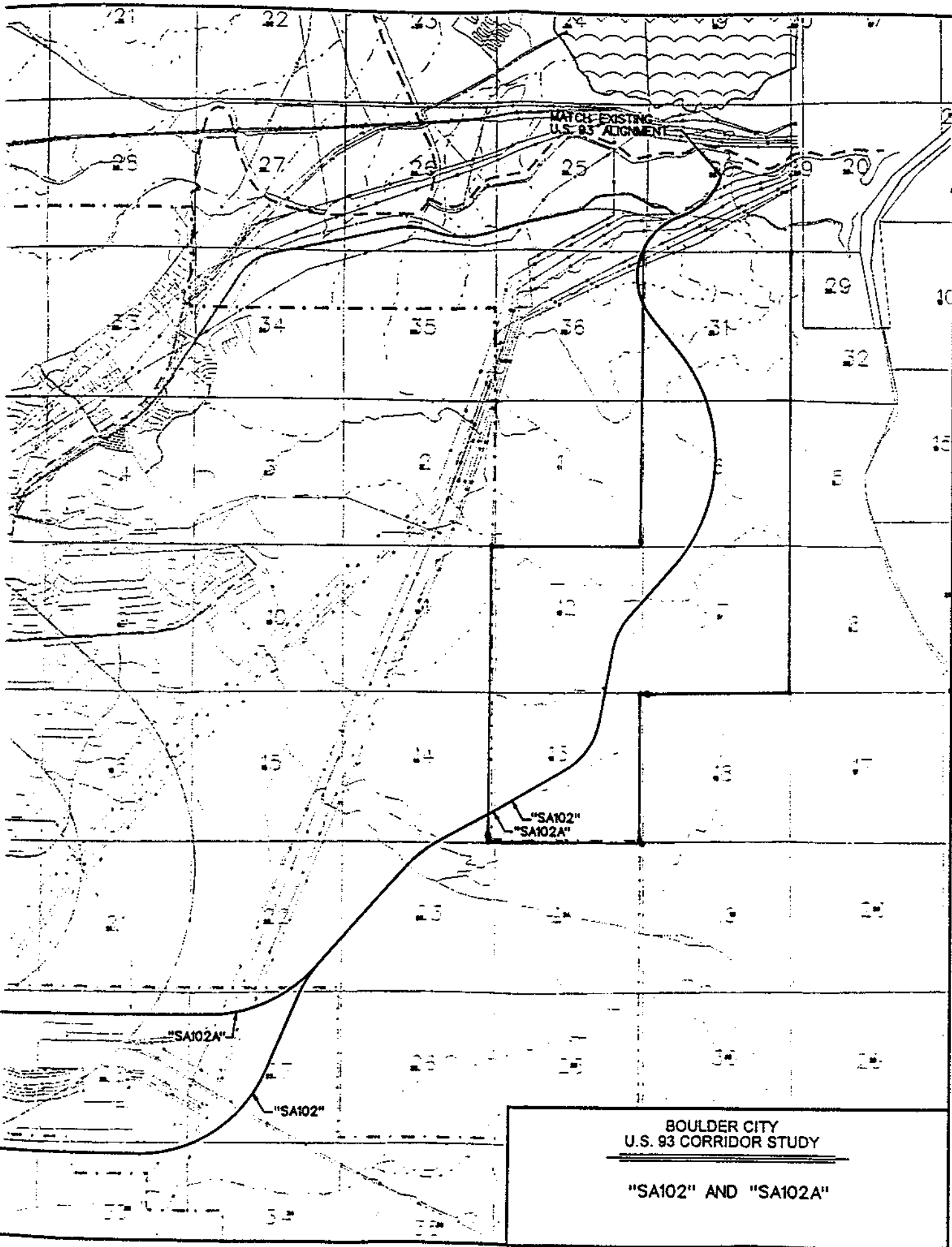
cc:

Tom Greco, Project Manager
Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

Mr. Ted Bendure
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

Michael Lasko, Project Manager
2000 East Flamingo Road, Suite A
CH2M HILL
Las Vegas, Nevada 89119

Mr. Daryl James
Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712



Boulder City/U.S.93 Corridor Study
Summary of Selected Legislative and Administrative Constraints
Lake Mead National Recreation Area

In 1916, Congress created the National Park Service in the Department of the Interior to

Promote and regulate the use of the Federal areas know as national parks, monuments, and reservations... by means and measures as conform to the fundamental purpose of said parks, monuments and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. (NPS Organic Act, 15 USC 1)

By 1970 the national park system had grown to encompass a diverse collection of "superlative natural, historic and recreation areas in every major region of the United States, its territories and island possessions." That year Congress formally recognized the existence of this system of areas managed by the National Park Service, and went on to declare:

That these areas, though distinct in character, are united through their interrelated purposes and resources into one national park system as cumulative expressions of a single national heritage; that, individually and collectively, these areas derive increased national dignity and recognition of their superb environmental quality through their inclusion jointly with each other in one national park system preserved and managed for the benefit and inspiration of all the people...; and that it is the purpose of this Act to include all such areas in the System and to clarify authorities applicable to the system. (16 USC 1a-a)

The General Authorities Act of 1970 defines the national park system as including "any area of land or water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes" (16 USC 1c(a)). It states that "each area within the national park system shall be administered in accordance with the provisions of any statute made specifically applicable to the that area" (16 USC 1c(b)) and in addition with the various authorities relating generally to NPS areas, as long as the general legislation does not conflict with specific provisions.

Congress amended the NPS Organic Act with this statement in the Act of March 27, 1978 (the act expanding Redwood National Park), to add:

The authorization of activities shall be construed and the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress. (16 USC 1a-1)

The Wilderness Act of 1964 (16 USC 1211-1136) was established to legislatively ensure an enduring wilderness resource for the public use and enjoyment. In compliance with this act, the NPS has established policies and directives with respect to wilderness studies and appropriate human activities in such areas before and after the legislative process is completed. Areas suitable for wilderness designation within Lake Mead NRA are identified in the General Management Plan.

Lake Mead NRA was formally established in October 1964 for:

“...the general purposes of public recreation, benefit and use, and in a manner that will preserve, develop, and enhance... the recreation potential, and in a manner that will preserve the scenic, historic, scientific, and other important features of the area... (Public Law 88-639)

Today more than 375 units of the national park system are under the custody and care of the National Park Service. These units are variously designated as national parks, monuments, preserves, lakeshores, seashores, historic sites, military parks, battlefields, historic parks, recreation areas, memorials, and parkways. These titles reflect the great diversity of the national park system, but they should not be interpreted as implying difference in importance. Each unit has been given the full protection of the laws affecting the system and the full accountability of the National Park Service in applying the policies and practices of park management.

The National Park Service Management Policies are guided by the constitution, public laws, proclamations, executive orders, court decisions, rules and regulations, and directives of the Secretary of the Interior and the Assistant Secretary for Fish Wildlife and Parks. NPS policy must be consistent with these higher authorities and with appropriate delegations of authority. Policy sets the framework and provides direction for management decisions.

NPS Management Policies describe four primary management zones: natural, cultural, park development, and special use. Within this framework, subzones may be designated for any park where it is useful to indicate in greater detail how the land and water will be managed. Subzones will be used to focus management on specific types of protection, use or development as necessary to achieve the park-to-park distinctions in management emphasis called for by Congress in enabling legislation. Subzones will also be used to distinguish the particular resource values and use potentials of various areas within parks.

“The Natural Zone will include lands and waters that will be managed to conserve natural resources and ecological processes and to provide for their use and enjoyment by the public in ways that do not adversely affect these resources and processes. Development in the natural zone will be limited to dispersed recreational and essential management

facilities that have no adverse affect on scenic quality and natural processes and that are essential for management, use, and appreciation of natural resources. Types of natural subzones include outstanding natural area, natural environment, protected natural area, wilderness, research natural area, and special management."(NPS Management Policies)



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Lalovi Miller,
Moapa Paiute Indian Tribe
P.O. Box 340
Moapa, NV 89025

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Lalovi Miller,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

David Chavez, Chairperson
Chemehuevi Tribal Council
P.O. Box 1976
Havasu Lake, CA 92362

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear David Chavez,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Edward Smith, Vice Chairman
Chemehuevi Indian Tribe
P.O. Box 1976
Chemhuevo Valley, CA 92363

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Edward Smith,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Lynn Petach, NAGPRA Coordinator
Chemehuevi
19220 Cantara Street
Reseda, CA 91335

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Lynn Petach,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Nora Helton, Chairperson
Fort Mohave Indian Tribe
500 Merriman Avenue
Needles, CA 92363

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Nora Helton,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Llewellyn Barrackman, Vice Chairman
Fort Mohave Indian Tribe
500 Merriman Avenue
Needles, CA 92363

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Llewellyn Barrackman,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

A handwritten signature in black ink, appearing to read "Michael S. Lasko".

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

John Algots, Physical Resources
Fort Mohave Indian Tribe
500 Merriman Avenue
Needles, CA 92363

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear John Algots,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Richard Arnold,
Las Vegas Indian Center
P.O. Box 3411
Pahrump, NV 89041

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Richard Arnold,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Richard Arnold,
Las Vegas Indian Center
2300 West Bonanza Road
Las Vegas, NV 89106

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Richard Arnold,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Louise Benson, Chair
Hualapai Tribe
P.O. Box 179
Peach Springs, AZ 86434

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Louise Benson,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Monza Honga, Tribal Preservation Officer
Hualapai Tribe
P.O. Box 310
Peach Springs, AZ 86434

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Monza Honga,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Aaron Mapatis, Vice-Chair
Hualapai Tribe
P.O. Box 179
Peach Springs, AZ 86434

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Aaron Mapatis,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Richard Arnold, Chairperson
Pahrump Paiute Tribe
P.O. Box 3411
Pahrump, NV 89041

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Richard Arnold,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

A handwritten signature in black ink, appearing to read "Michael S. Lasko".

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Curtis Anderson, Chairperson
Las Vegas Paiute Colony
Number 1 Paiute Drive
Las Vegas, NV 89106

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Curtis Anderson,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Kenny Anderson, Vice Chairman
Las Vegas Paiute Colony
Number 1 Paiute Drive
Las Vegas, NV 89016

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Kenny Anderson,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

April 18, 2000

Bill Anderson, Chairperson
Moapa Paiute Indian Tribe
P.O. Box 340
Moapa, NV 89025

RE: Public Information Meeting for the Boulder City/US93 Corridor Study

Dear Bill Anderson,

The Federal Highway Administration and the Nevada Department of Transportation will hold a Public Information Meeting on April 26, 2000 from 4:00 p.m. to 7:00 p.m. in Room 100 at the Boulder City Campus of the Community College. The goal of the meeting is to update the general public on the status of the Boulder City/US93 Corridor Study and we would appreciate your attendance in an effort to address issues that may be of concern to your tribal members. Please make plans to attend the meeting yourself, or have a representative attend on your behalf.

If you would like to become familiar with the study prior to attending the meeting, please visit our project website at www.bouldercitystudy.org. We will also have fact sheets and other information available at the public meeting.

We will call you prior to the meeting to remind you of its time and place, as well as to confirm your attendance. If you have any questions, please contact me at 369-6904 x217 or Tom Greco at (775) 888-7317. Thank you in advance and we look forward to seeing you at the meeting.

Sincerely,
CH2M HILL

Michael S. Lasko, P.E.
Project Manager

C: Tom Greco, P.E., Project Manager
Nevada Department of Transportation
Ted Bendure, P.E., Environmental Program Manager
Federal Highway Administration



City of Boulder City
1000 E. 1st Street
Boulder City, NV 89003
(702) 795-1000

March 23, 2000

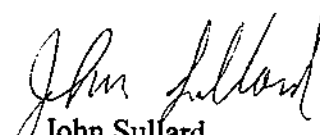
John T. Price, Division Administrator
U.S. Department of Transportation
Federal Highway Administration
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701

RE: Boulder City/U.S. 93 Corridor EIS Invitation for Cooperating Agency Participation

Dear Mr. Price:

Per my conversation with Tom Greco, Project Manager for the Boulder City/U.S. 93 Corridor, under my authority as City Manager, I agree that the City of Boulder City will become a cooperating agency with the U.S. Department of Transportation for the Boulder City/U.S. 93 Corridor EIS.

Sincerely,


John Sullard
City Manager

cc: Tom Greco, NDOT
Michael Lasko, CH2M Hill
Jeffrey Bingham, CH2M Hill



March 23, 2000

John T. Price
Division Administrator, FHWA
705 N. Plaza, Suite 220
Carson City, NV. 89701

Re: Boulder City/U.S. 93 Corridor Study

Dear Mr. Price:

The City of Henderson is pleased to accept your offer to participate in the above project as a cooperating agency. We look forward to our continuing involvement as an active participant throughout this project.

Sincerely,

Kevin L. Hill, P.E.
Engineering Services Manager

/kjr

cc: Mark T. Calhoun, Director of Public Works
Tom Greco, NDOT -

Boulder city us 93 corridor study



United States Department of the Interior

NATIONAL PARK SERVICE

LAKE MEAD NATIONAL RECREATION AREA

601 Nevada Highway

BOULDER CITY, NEVADA 89005-2426

IN REPLY REFER TO:

D18 (LAME-M)

March 14, 2000

John T. Price, Division Administrator
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

Dear Mr. Price:

We have reviewed your request for scoping comments for the preparation of an environmental impact statement (EIS) for the Boulder City U.S. 93 Corridor study. The purpose of the proposal is to address traffic issues along the existing U.S. Highway 93.

On February 22 and again on February 29, 2000, National Park Service staff attended the interagency and Project Management Team sessions to discuss the proposed study of the Boulder City/U.S. 93 Corridor. Our comments and recommendations regarding issues to be addressed in the EIS are provided below, many of which were previously provided at the work sessions. We will limit our comments to those issues that could affect Lake Mead National Recreation Area (NRA).

Threatened, Endangered and Candidate Species, and Species of Concern

A number of plant and animal species may occur in the project area that were previously identified as part of the Section 7 consultation for the northern Eldorado Mountains in the Hoover Dam Bypass EIS. Within Lake Mead NRA, this list includes the desert tortoise, desert bighorn sheep, Relict Leopard Frog, Bald Eagle, Peregrine falcon, the Southwest Willow Flycatcher, Chuckwalla, Banded Gila Monster and the Rosey Two-toned Beardtongue.

The Relict Leopard Frog (*Rana onca*) has been found in the canyons below Hoover Dam and in springs along the Overton Arm of Lake Mead. Once considered extinct, this leopard frog was rediscovered in 1991. Any alignment that impacts springs or groundwater in the project area could impact the relict leopard frog. The peregrine falcon, has been proposed for de-listing but maintains its threatened status until officially removed from the list. This species is reported from the canyons of the northern Eldorado Mountains.

Desert bighorn sheep (*Ovis canadensis nelsoni*), a high profile species of great interest to the public, is locally abundant in the northern Eldorado Mountains that comprise the eastern portion of the study area. There may be additional species of concern that occur within the study area including the chuckwalla and banded gila monster. Both of these species are considered species of concern within Lake Mead NRA.

One plant species of concern, the Rosey Two-toned Beardtongue (*Penstemon bicolor* ssp. *roseus*) is reported from the River Mountains. Any work proposed in or around the River Mountains should assess impact on this species.

Traffic and Circulation

It is important to the National Park Service that access to Lake Mead NRA remains safe and convenient for park visitors. Presently, Lakeshore Drive where it intersects with U.S. 93, accounts for over two million visitors entering the park. The new intersection should be designed to accommodate the recreational traffic to Lake Mead NRA,

In addition to the primary access route along U.S. 93, there are a number of backcountry roads along the park boundary with Boulder City. In this area, access to the remote backcountry follows a number of gravel roads that provide unique recreational experiences. It is the desire of the National Park Service to maintain access to these backcountry roads.

Air Quality

The current conditions along U.S. 93 within the study area can result in traffic backups where vehicles are prohibited from traveling at the posted speeds. These traffic slowdowns result in idling vehicles and inefficient use of fuels and impacts on the area's air quality. These concerns are also at issue within the community of Boulder City where traffic is forced to slowdown and frequently stop.

Noise

The northern Eldorado Mountains are identified as "Outstanding Natural Area" in the park's General Management Plan. One of the characteristics that contributes to the setting is the remote nature of the area, isolated from many aspects of man's activities. Any alignment that follows the boundary between the park and Boulder City would affect the natural quiet that characterizes the area.

Water Quality and Quantity

Impacts to water quality from each alternative should be addressed. This should include a discussion of impacts to surface and ground water, and increased erosion and sediment loads in the canyons draining into the Colorado River. The EIS should discuss the presence of ground water supplies and potential effects that may result from the proposed

project on these supplies and fish and wildlife resources. The techniques and assumptions used to construct support structures in these canyons along the Colorado River should be explained.

Should work be proposed along the existing U.S. 93 corridor where drainage is contained in a structure that was constructed in the late 1980s, it is important to address the delivery of floodwaters to Lake Mead NRA. Today, the waters are delivered from a concrete drainage structure where the water is flowing "clean and fast," resulting in flood damage to resources and facilities within the Hemenway Valley of Lake Mead NRA. All flood mitigation facilities should be designed to protect park resources and facilities.

Recreation

The Eldorado Mountains are important for dispersed recreation as highlighted in the above Traffic and Circulation section. But in addition to the backcountry roads, this area is also used for hiking. Two popular trails originate along the boundary of the park with Boulder City. These include hiking trails in Goldstrike and Boy Scout Canyons. These trails are accessible from trailheads located within the project area and could be impacted by development along the eastern portion of the study area. These mountains provide the backdrop for scenic vistas along U.S. 93 south of Hoover Dam and the opportunity to visit some of the most remote and rugged areas of southern Nevada. It is our objective to maintain the remote and scenic character of this recreational setting.

The proposed River Mountains Loop Trail, approximately 35 miles in length, will surround the River Mountains, connecting Lake Mead National Recreation Area, Hoover Dam, Boulder City, Henderson and the rest of the Las Vegas Valley. This trail project is under the guidance of the River Mountains Trail Partnership, representing federal, state and local agencies, communities, interest groups, and individuals. The proposed trail corridor parallels U.S. 93 from Railroad Pass to Hoover Dam and serves as an alternative transportation corridor to U.S. 93. It follows the historic railroad grade from Boulder City to Hoover Dam where portions of the trail exist today, and other portions are under design or construction. The corridor study should honor the agency and community commitment to this trail project in the design and development of the corridor alternatives.

Disturbed Land Reclamation

This project could result in extensive land disturbance if a new route was selected (12 miles in length and 400 feet in width). We have found that even in arid land environments, the salvage of topsoil and its redistribution following construction can enhance disturbed land reclamation. Based on our experience, we recommend the top 6 inches of topsoil be salvaged, stored and redistributed following construction, to enhance recovery of disturbed soils with species native to the local area.

Cultural Resources

Several historic and prehistoric cultural resources have been identified in the Boulder City area. The prehistoric cultural resources range from small campsites and rock shelter habitation sites to large petroglyph sites. The historic resources range from small mine sites to industrial complexes and cultural landscapes associated with the construction and operation of Hoover Dam. A Class III cultural resource inventory will need to be conducted along all of the alternatives for this project in order to identify and evaluate any cultural resources that could be effected by this project.

Recent consultations with Native Americans have identified ethnographic resources in the area. Consultations will need to be conducted with Native American groups who have cultural ties to the area to identify and evaluate any ethnographic resources that could be effected by this project.

Consistency with the General Management Plan

The General Management Plan for Lake Mead NRA was approved in 1986 and provides specific management for Black Canyon located in the northern Eldorado and Black Mountains. The area is identified as a "Significant Natural Feature" and includes all lands south of U.S. 93 extending south to Burro Wash on the Nevada side of the Colorado River. This same area is recommended as "Potential Wilderness." We are concerned road alternatives in the northern Eldorado Mountain area would compromise this area's wilderness values.

Section 4(f) for the Department of Transportation Act


Section 4(f) for the Department of Transportation Act declares that, "... it is the policy of the United States government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation land, wildlife and waterfowl refuges, and historic sites." Section 4(f) specifies that, "... the Secretary of Transportation may approve a transportation program or project ... requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance. . . only if:

1. There is no prudent and feasible alternative to using that land; and
2. The program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use."

We request the Section 4(f) analysis honor the resource and recreation values of Lake Mead NRA. We ask the Federal Highway Administration and Nevada Department of Transportation to assist the National Park Service in fulfilling its mission of protecting park values for the enjoyment of future generations.

We appreciate the opportunity to provide scoping comments on this project. If you have any questions or require additional information, please contact Park Planner Jim Holland at (702) 293-8986.

Sincerely,


for Alan O'Neill
Superintendent

cc:
Tom Greco, Project Manager
Nevada Department of Transportation
1263 South Stewart Street
Carson, Nevada 89712



United States Department of the Interior

BUREAU OF RECLAMATION

Lower Colorado Regional Office

P.O. Box 61470

Boulder City, NV 89006-1470

IN REPLY REFER TO:

LC-2502

ENV 6.00

Mr. Ted Bendure
US Department of Transportation
Federal Highway Administration
Nevada Division
705 North Plaza Street, Suite 220
Carson City NV 89701

Subject: Boulder City, US 93 Corridor Environmental Impact Statement (EIS) Invitation for Cooperating Agency Participation

Dear Mr. Bendure:

This letter is in response to your invitation dated February 11, 2000, to participate as a cooperating agency in the development of an EIS for the improvement of US Highway 93 in the vicinity of Boulder City and Henderson, Nevada.

As a Federal agency with jurisdiction within the project area and as an interested member of the community, Reclamation will gladly participate as a cooperating agency. Reclamation administers withdrawn lands within the project area and has issued rights-of-way to the Nevada Department of Transportation for portions of US Highways 93 and 95.

Environmental Specialist Dave Curtis of my staff will serve as our point-of-contact. Reclamation is especially concerned with potential impacts on the following (these issues were first brought to your attention at the February 22nd scoping meeting at McCarran Airport):

- * Reclamation facilities
- * Reclamation withdrawn land (including the area in the vicinity of the Hacienda Hotel within the Lake Mead National Recreation Area)
- * The raw water pipelines from Hoover Dam to Boulder City
- * The Boulder City treated water lateral of Southern Nevada Water System
- * Any impacts to water quality of Lake Mead and the Colorado River
- * Power transmission facilities
- * Safe and convenient access to Hoover Dam

We look forward to working with your agency and the rest of the Project Management Team. If you have any questions, please contact Dave at 702-293-8132.

Sincerely,

A handwritten signature in black ink, appearing to read "Deanna J. Miller".

Deanna J. Miller, Director
Resource Management Office



United States Department of the Interior

NATIONAL PARK SERVICE
LAKE MEAD NATIONAL RECREATION AREA
601 Nevada Highway
BOULDER CITY, NEVADA 89005-2426

IN REPLY REFER TO:

D18 (LAME-M)

March 2, 2000

Mr. John T. Price, Division Administrator
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, Nevada 89701

Dear Mr. Price:

This is in response to your February 11, 2000 letter requesting cooperating agency status from the National Park Service for the development of an Environmental Impact Statement for the Boulder City/US 93 Corridor Study.

We support Federal Highway Administration's proposed project concept and the role of the cooperating agencies as outlined in your letter. As such, we agree to participate as a cooperating agency.

Jim Holland of our Professional Services Office will serve as our agency's point of contact for this project. He can be reached at (702) 293-8986.

We look forward to working with you and your staff on this very challenging project.

Sincerely,

Alan O'Neill
Superintendent

cc:

Mr. Tom Greco
Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712



KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF WILDLIFE

1100 Valley Road
P.O. Box 10678
Reno, Nevada 89520-0022
(775) 688-1500 • Fax (775) 688-1595

PETER G. MORROS
Director
Department of Conservation
and Natural Resources
TERRY R. CRAWFORTH
Administrator

SOUTHERN REGION OFFICE

4747 West Vegas Drive
Las Vegas, Nevada 89108
(702) 486-5127; 486-5133 FAX

February 29, 2000

Mr. Ted Bendure,
Environmental Program Manager
705 N. Plaza, Suite 220
Carson City, NV 89701

RE: Intent-to-Study Boulder City & Henderson / US-93 Corridor

Dear Mr. Bendure:

Thank you for hosting the scoping meeting last 22 February along with NDOT and H2M HILL. The meeting was informative and the Division has a better contextual perspective about the Boulder City & Henderson / US-93 Corridor project (Corridor Project) under study and its relationship with other planned development projects. Per your request, Division has the following, initial observations and comments.

When viewed in the totality of the situation, the Corridor Project is additive to the cumulatively negative effects that other regional projects (e.g. *Hoover Dam By-Pass*, *MGM Golf Course*, *Boulder City Branch Looped Railroad Track Extension*, *River Mountains Trail System*, *River Mountains Transmission Line*) are having on wildlife and habitat. Wildlife of concern that stand out immediately are the desert bighorn sheep, desert tortoise, and banded gila monster.

Desert Bighorn Sheep

Historically significant use areas for bighorn sheep occur at Railroad Pass, Hemenway Wash, and along the existing US 93 route from approximately the Hacienda Hotel / Casino to Hoover Dam.

- Railroad Pass has served as a natural corridor allowing bighorn to move between the River and McCullough mountains. In the last 20 years, mortalities of rams associated with vehicle collisions on the existing US 93-95 route, urban encroachment, and other activities (Boulder City Loop Railroad Extension) have reduced the number of sheep using the corridor through attrition and the construction of increasingly impervious barriers which fragment habitat. Utility of Railroad Pass for bighorn movement has been significantly

compromised. Severing this southwest corridor significantly contributes to the isolation of the River Mountains herd.

- Regardless of the final alignment for the Corridor Project, the Hemenway Wash crossing is anticipated to be periodically used by bighorn (mainly rams) moving between the River and Eldorado mountains. If left unaddressed, traffic hazard concerns for both bighorn sheep and the traveling public will persist into the future.
- The area intersected by existing US 93 between the Hacienda Hotel/Casino and Hoover Dam is frequented by both rams and ewes. This indicates an important population core area for bighorn sheep using the River and Eldorado mountains.

Desert Tortoise

For all intents and purposes, the desert tortoise occurs throughout the Corridor Project area, although in patchy distribution. It can be found on rocky slopes as well as in valley areas on well-drained sites. The species is classified as State Protected and listed as Threatened under the federal Endangered Species Act (ESA).

Banded Gila Monster

The gila monster is classified as a State Protected reptile. It is also a BLM sensitive species as well as a species of concern under Clark County's Desert Conservation Program. In the Corridor Project area, distribution is documented from the piedmont alluvium and complex rocky slopes of the McCullough, River, and Eldorado mountains and Nelson Hills. It is a secretive species and rarely observed above ground. The inadvertent loss of individuals to construction activities and increased frequency of un-beneficial encounters with human activities in the future is anticipated; habitat degradation and fragmentation are also conservation concerns in the Corridor Project area.


Considerations Regarding Development of Corridor Project Routes

- 1) Bighorn sheep will continue to attempt traditional crossings at Railroad Pass, Hemenway Wash, and between the Hacienda Hotel/Casino and Hoover Dam.
 - Because corridor value and safety to bighorn sheep will be further compromised by the Corridor Project, and traffic safety concerns will persist, mechanisms should be employed to discourage use of Railroad Pass by bighorn sheep, not encourage it.
 - As stated previously, Hemenway Wash will continue to receive periodic use by bighorn sheep. Either an underpass (not preferred) or wildlife crossing (speed reduction zone w/ hazard lights) may be in order to alert drivers to the potential of encountering wildlife.

- The Corridor Project and the Hoover Dam By-pass Project are too interrelated to segregate regarding conservation efforts for bighorn sheep management. Conservation emphasis to core bighorn populations and traffic safety concerns begins approximately at the Hacienda Hotel site east to Hoover Dam. Biologist Pat Cummings of this office can be contacted (486-5135 or 486-5127) for specific assistance with bighorn sheep considerations.
 - Crossings for bighorn sheep, desert tortoise, and banded gila monster are best facilitated by ensuring underpasses are located at wash courses intersecting the corridor alignment. Underpasses should have ample width and height so not to preclude perception by animals they have a clear path ahead. Overpasses are not preferred, except where local relief dictates otherwise.
- 2) In view that the Clark County Desert Conservation Program previously addressed regional recovery concerns for the species of which the Division is a cooperator, the U.S. Fish & Wildlife Service should be contacted relative to other nuances concerning federally funded projects and Section 7 of the ESA. Specific measures and mediation addressing banded gila monster issues can be addressed with the Division later on in the planning process, the logistics of which will likely overlap those for the desert tortoise.
 - 4) Wildlife issues both from course construction and maintenance angles were previously discussed with MGM Golf Course management. Division advised that a perimeter fence effectively denying bighorn sheep access would be in MGM's best interest to help avoid conflicts between wildlife, staff, and patrons.
 - 5) The Corridor Project should avoid the Boulder City Conservation Easement lands, a part of the Clark County Desert Conservation Program.
 - 6) Waters in the Boulder City Municipal Golf Course and Wetlands Park: Cooperation among Boulder City, Bureau of Reclamation, and the Division for Razorback Sucker rearing, an endangered species recovery action. The Corridor Project should not intrude on these facilities.

The Division again thanks you for inviting us early into the process. We look forward to continued involvement. Please contact me should you have any questions or other needs.

Sincerely,
TERRY R. CRAWFORTH, ADMINISTRATOR


D. Bradford Hardenbrook
Supervisory Biologist - Habitat

Bendure, T. (FHWA)

4

February 29, 2000

DBH:dbh

cc: Southern Region Manager, NDOW
Game Bureau, NDOW
Fisheries Bureau, NDOW
Habitat Bureau, NDOW



Department of Energy

Western Area Power Administration
Desert Southwest Customer Service Region
P.O. Box 6457
Phoenix, AZ 85005-6457

Mr. John T. Price
U.S. Department of Transportation
Federal Highway Administration
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701

Dear Mr. Price:

The Desert Southwest Region (DSW) of the Western Area Power Administration (Western) welcomes the opportunity to work on the Boulder City / US 93 Corridor Environmental Impact Statement Project as a cooperating agency. The Boulder City vicinity is an area where there are considerable transmission lines, with most being under the jurisdiction of the Western. Safety and system reliability are the primary concerns for DSW in the management of the transmission lines. DSW will support the project with constraint mapping and developing estimates for transmission line modifications that may be required for the alternatives and in any other areas where we can be of assistance.

Work that DSW performs for entities other than our power system customers needs to be funded by those entities so the costs are not reflected in the power system customers' rates. DSW and the Federal Highway Administration executed a Reimbursable Agreement for the work that DSW is performing in support of the Hoover Dam Bypass EIS Project. A similar agreement could be executed to cover DSW's participation in the Boulder City / US 93 Corridor EIS Project. An estimate for work to be provided by DSW will be developed after the Project Management Team meeting on 2/29/00.

If you have any questions or additional information is required, please contact Chuck McEndree at (602) 352-2790.

Sincerely,

A handwritten signature in black ink that reads "David Radosevich". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

David Radosevich
Manager Engineering and Construction

cc: Tom Greco, NDOT
State of Nevada
Department of Transportation
1263 S. Stewart Street
Carson City, NV 89712

Jeffrey Bingham
CH2M Hill
2000 East Flamingo Road, Suite A
Las Vegas, NV 89119-5163

Michael Lasko
CH2M Hill
2000 East Flamingo Road, Suite A
Las Vegas, NV 89119-5163



State of Nevada
DEPARTMENT OF MUSEUMS, LIBRARY AND ARTS
Division of Museums and History
Nevada State Railroad Museum/Boulder City

600 Yucca Street
P. O. Box 62423
Boulder City, Nevada 89006-2423
Tel.: (702) 486-5933 Fax: (702) 486-5901

February 28, 2000

Mr. Ted P. Bendure, Environmental Program Manager
Federal Highway Administration, Nevada Division
705 North Plaza, Suite 220
Carson City, NV 89701

Dear Mr. Bendure:

In response to the letter from Mr. John Price (Administrator) dated February 11, 2000 requesting agency responses for the Boulder City Bypass Study I submit the following:

The Railroad crossing at Railroad Pass (Highway 93/95) is a vital link to our portion of the Boulder Branch Line and to the future development of the Nevada State Railroad Museum in Boulder City. Since the Boulder Branch Line was donated to the State of Nevada in 1985 by the Union Pacific Railroad, the crossing has seen very limited use. Currently, the crossing has an "EXEMPT" status by the Nevada Department of Transportation and is paved over with six to eight inches of asphalt, rendering it unusable to any railroad activity.

A permanent and complete closure would cut off any possible rail use between the Union Pacific Railroad main line in Las Vegas and the state's portion of the Boulder Branch Line. This could seriously jeopardize any of the museum's efforts to receive donations and support from the Union Pacific Railroad, collect historic rolling stock, send railroad rolling stock to other locations for repairs and maintenance. Other uses would include the need to perform track maintenance and construction, take advantage of television and motion picture possibilities, host rail fairs and other railroad related venue's in Boulder City. These are but just a few examples of the need for railroad crossing to be reestablished at Railroad Pass, any one of which could have a significant impact on the museums budget.

Therefore, the Nevada Division of Museums and History would like to see the separation of the railroad grade from the future Boulder City Bypass; thus replacing the current at-grade crossing at Railroad Pass and allowing it to be reopened once again.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Corbin", is written over the typed name.

Greg Corbin
Assistant Administrator, Railroad Operations



REGIONAL TRANSPORTATION COMMISSION

600 S. Grand Central Parkway, Suite 350 • Las Vegas, NV 89106-4512 • (702) 676-1500
Fax: (702) 676-1518 • TDD: (702) 676-1837

JACOB L. SNOW
General Manager

Clark County
BRUCE L. WOODBURY, Chairman
DARIO HERRERA

City of Boulder City
BRYAN NIX, Vice-Chairman

City of Las Vegas
OSCAR B. GOODMAN
LARRY BROWN

City of North Las Vegas
JOHN K. RHODES

City of Henderson
JAMES B. GIBSON

City of Mesquite
CRESENT HARDY

February 28, 2000

Mr. John Price
Division Administrator
Federal Highway Administration
705 North Plaza Street, Suite 220
Carson City, NV 89701

BOULDER CITY/US 93 CORRIDOR EIS INVITATION FOR COOPERATING AGENCY PARTICIPATION

Dear Mr. Price:

In response to your February 11, 2000 letter regarding the above-referenced project, the RTC would like to be a cooperating agency. The RTC will attend scoping and coordination meetings, and joint field reviews.

The RTC's point of contact on the project will be Gary Johnson, Engineering Manager. Mr. Johnson can be reached at (702) 676-1611.

Sincerely,

JACOB L. SNOW
GENERAL MANAGER

JLS:fo

cc: Fred Ohene, P.E.
Gary Johnson, P.E.

boulder.wpd



Las Vegas Indian Center, Inc.

February 25, 2000

Mr. John T. Price, Division Administrator
U.S. Department of Transportation
Federal Highway Administration - Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701

Dear Mr. Price:

Thank you for your letter dated February 11, 2000 regarding the Environmental Impact Statement Scoping Meeting for the Boulder City/ U.S. 93 Corridor. I carefully reviewed your letter and will discern the best way to present my concerns in a logical manner.

After reading your letter, it appears that the Federal Highway Administration and the Nevada Department of Transportation are proposing to improve U.S Highway 93 in Boulder City, Nevada. Although this project is within close proximity, it is considered coincidental with the Hoover Dam Bypass Project. Nonetheless, I can assure you that there is great concern from many of the culturally affiliated tribes about the adverse impacts that would result from your proposed project.

In order to fully understand these implications it is imperative to conduct a systematic ethnographic study to ascertain the cultural significance of the area and identify any potential areas and concerns that could be potentially mitigated. Equally important is to emphasize the necessity of conducting consultation beyond your initial introductory letter and enter into government-to-government relations early on so as not repeat some of the pitfalls that occurred on the Hoover Dam Bypass Project.

As a reasonable point of departure, I would recommend that you seriously consider using the same ethnography team as on the Hoover Dam Bypass Project to streamline your process. By way of information, this work was conducted by Dr. Richard Stoffle, from the University of Arizona-Tucson's Bureau of Applied Research in Anthropology. Dr. Stoffle and his team are highly qualified and have established excellent working relations with the culturally affiliated tribes who would ultimately be working in conjunction with your proposed project. Clearly, this approach will add greater credibility in the eyes of the tribes and promote consistency with other projects in the area including the existing efforts of the Federal Highway Administration.



Mr. John T. Price, Division Administrator
February 25, 2000
Page 2

Further, I would urge both the Federal Highway Administration and the Nevada Department of Transportation to model their consultation program after the existing Hoover Dam Bypass initiative to insure government to government relations as mandated E.O. 13084 *Consultation and Coordination with Tribal Governments*. I also feel compelled to bring to your attention several other laws including but not limited to: Executive Order 13007 *Sacred Sites*; Executive Order 12898 *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*; *American Indian Religious Freedom Act*; *Native American Graves Protection Act*; and National Register Bulletins Number 30 and 38, *Guidelines for Evaluating and Documenting Rural Historic Landscapes and Traditional Cultural Properties*, respectively. In considering the previous concerns that have been expressed by tribal representatives about the adjacent area, the likelihood of potential application of these mandates is quite probable.

In closing, I would again reiterate the necessity of working collaboratively with the tribes and organizations that have been working closely with the Federal Highway Administration on the Hoover Dam Bypass Project. I would however caution you on carefully identifying and interacting with only those tribes and organizations that are truly culturally affiliated. This will foster better communications and eliminate any misunderstandings.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. W. Arnold', written over a horizontal line.

Richard W. Arnold
Executive Director



Ted P. Bendure
Environmental Program Manager
U.S. Department of Transportation
705 North Plaza Street, Suite 220
Carson City, NV 89701

February 24, 2000

Dear Mr. Bendure:

SUBJECT: Boulder City/U.S. 93 Corridor EIS
Edison CRE File No. CON000018

We appreciate the opportunity to provide comments on the Highway 93 project. Enclosed are copies of single-line drawings showing Southern California Edison Company's two Boulder-Mead 220kV transmission lines (highlighted in yellow). These lines may be affected by the proposed Highway 93 improvements in the Boulder City/Henderson, Nevada area. Each of the two transmission line right of ways is 200 feet wide.

The Boulder City-Mead 220kV transmission lines are leased to the Department of Energy, Western Area Power Administration (W.A.P.A.). However, Edison is responsible for handling the various right of way matters for the two lines. Please provide plans and other correspondence to me at the address shown below. If the relocation of the transmission line facilities should require relocation or an outage, W.A.P.A. will need to be notified as soon as possible.

Development within the transmission line rights of ways is generally conditioned by Edison. A few of the conditions the project may be "subject to" are:

- Detailed plans (including grading plans) shall be submitted to Edison for its' written approval in order to coordinate the development with Edison's existing and future electrical facilities. (This will ensure proper drainage away from Edison towers and access roads and proper conductor to ground clearance, which is critical.)
- Equipment working on Edison's right of ways shall maintain a minimum clearance of 17 feet from the overhead conductors and 25 feet from any Edison structures. Construction equipment shall not be parked in the right of ways.
- Adequate access to all Edison structures shall be provided and at no time is there to be any interference with the free movement of Edison's equipment and materials.
- Should any of Edison's facilities require relocation, Edison will require a minimum of 18 months lead time for engineering and procurement.

It will be beneficial for everyone if Edison is provided copies of your highway plans for review in the early stages of their development.

If you have any questions, call me at (760) 951-3270.

Sincerely,

DALE L. REED
Right of Way Agent

DLR

cc: M. De Poe, W.A.P.A.
J. Resheske, S.C.E.

12355 Hesperia Road
Victorville, CA 92392

128-52

127-52

SOUTHERN CALIFORNIA ENGINEERING COMPANY
FOR COMPANY USE ONLY

This map is compiled from data believed to be correct but no liability is assumed by this company as to the accuracy of such data or this map.

MATCH "A"

127-53

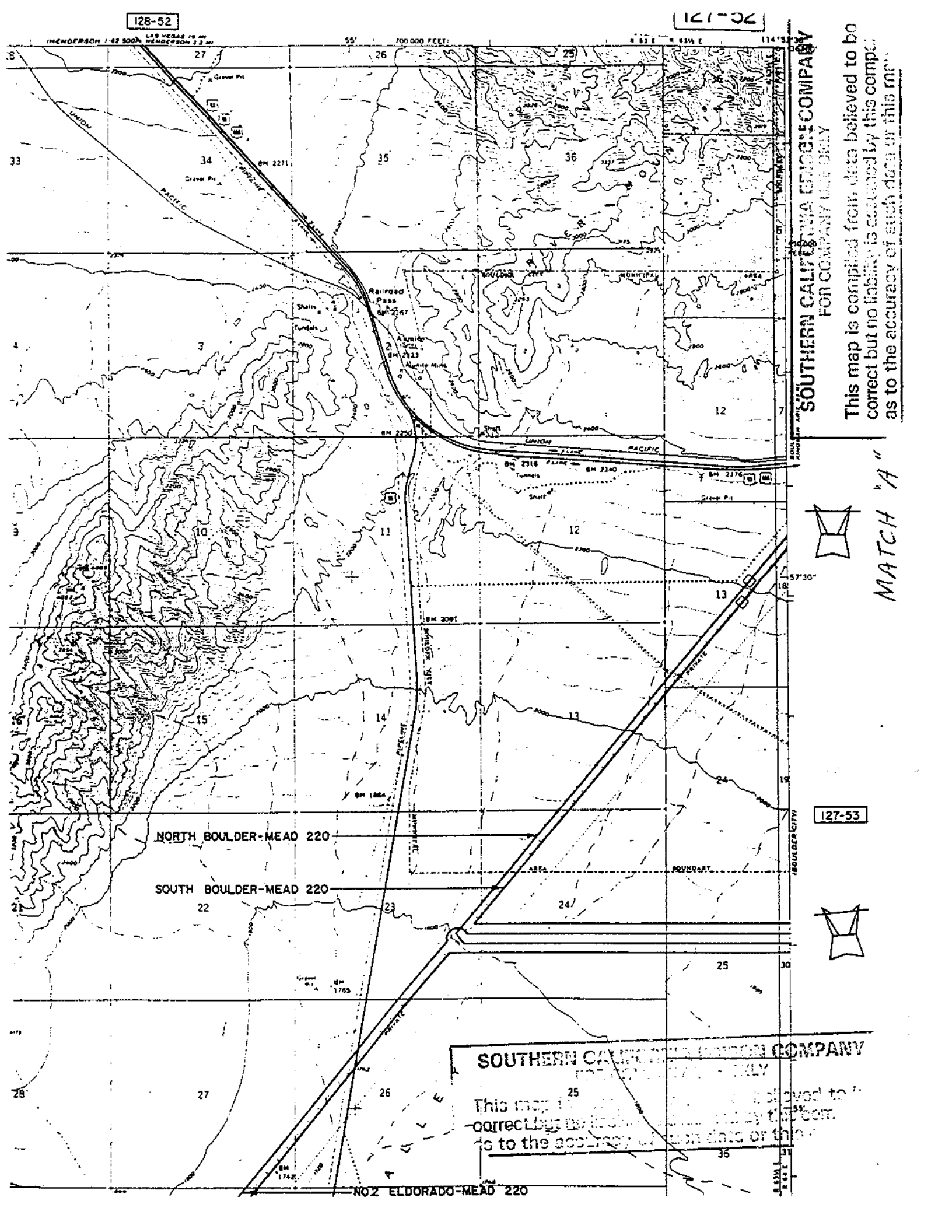
SOUTHERN CALIFORNIA ENGINEERING COMPANY
FOR COMPANY USE ONLY

This map is compiled from data believed to be correct but no liability is assumed by this company as to the accuracy of such data or this map.

NO.2 ELDORADO-MEAD 220

NORTH BOULDER-MEAD 220

SOUTH BOULDER-MEAD 220



MATCH "B"



128-53

114°52'30" 36°00'

1920000 E

50'

RINGMAN AVE 78 MI
HOOVER DAM 59 MI

HENDERSON 162,500'

T 22 S
T 23 S

SOUTH BOULDER-MEAD 220
(LEASED TO W.A.P.A.)

Boulder City

High School

NORTH BOULDER-MEAD 220
(LEASED TO W.A.P.A.)

SOUTHERN CALIFORNIA EDISON COMPANY

21 FOR CONSTRUCTION 27

This map is compiled from data believed to be correct but no liability is assumed by this company as to the accuracy of such data or this map

127-52



SOUTH BOULDER-MEAD 220

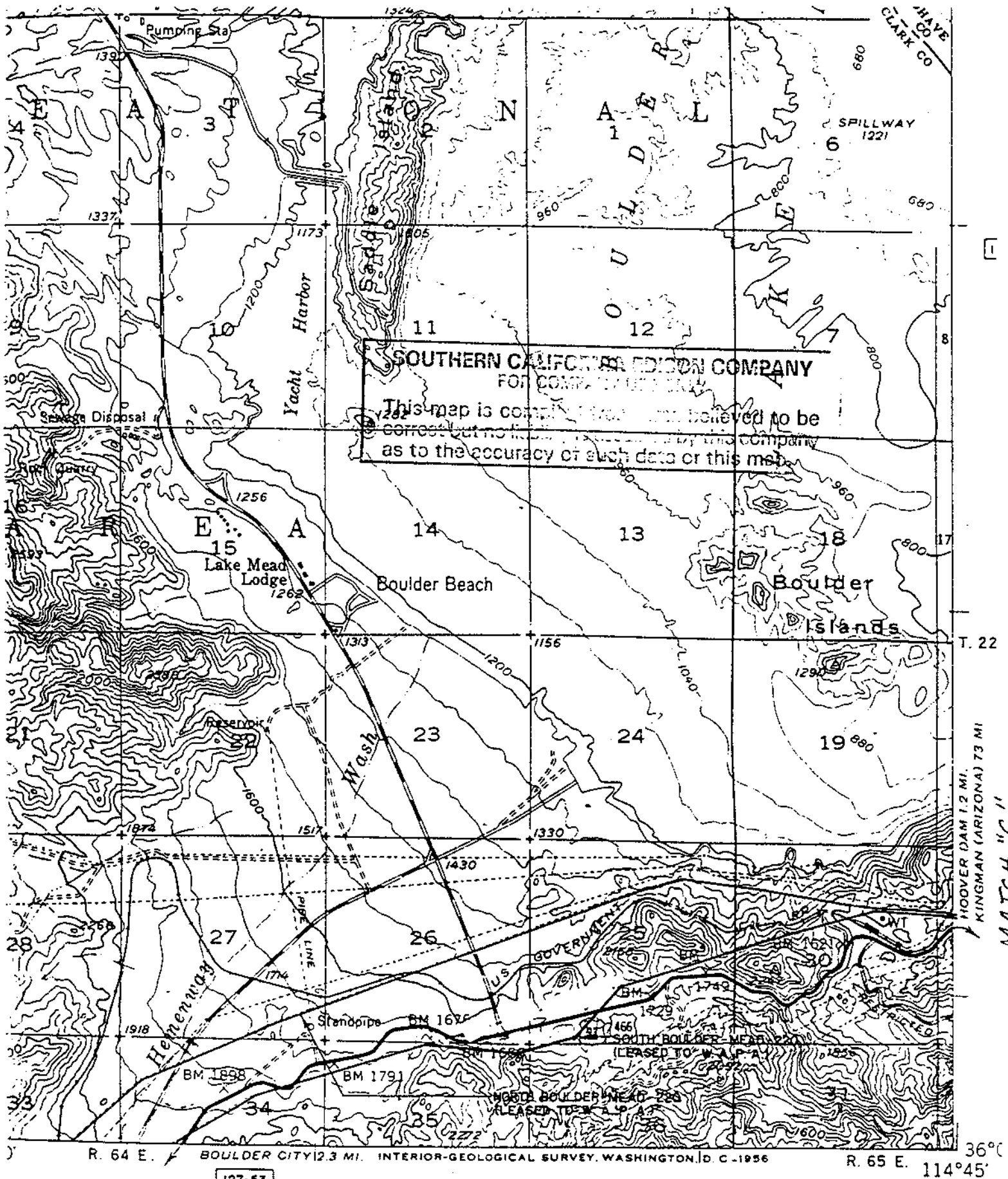
NO.2 ELDORADO-MEAD 220

MEAD

NORTH BOULDER-MEAD 220

NO.1 ELDORADO-MEAD 220

V A L L E Y



MATCH "B"

HENDERSON SE, NEV-ARIZ.

1952

4500 EASTERN

128-53



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701
February 11, 2000

IN REPLY REFER TO
HDA-NV

Subject: EIS Scoping Meeting
Boulder City/U.S. 93 Corridor EIS

See Attached List.

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT), is proposing to improve U.S. Highway 93 in Boulder City, Clark County, Nevada. The proposed project would improve the highway corridor from the present end of the freeway in east Henderson to near the Hacienda Hotel east of Boulder City, which is coincidental with the planned terminus of the US 93 Hoover Dam Bypass Project. The project covers a total distance of approximately 16.7 kilometers (10.4 miles) on the present route.

Improvements to the corridor are proposed to provide for existing and projected traffic demand and to correct high accident areas. Specifically, the project will evaluate mitigating traffic problems in the vicinity of Boulder City; replacing the at-grade railroad crossing near Railroad Pass; reducing the high accident rate at the intersection of the Railroad Pass Casino entrance; upgrading the existing US 93/US 95 Interchange; and tie-in with the US 93 Hoover Dam Bypass Project. The project will include study of all reasonable alternatives, including potential new routes, as well as the "no action" alternative.

In compliance with the National Environmental Policy Act of 1969 (NEPA) and Council on Environmental Quality (CEQ) regulations (40 CFR 1501.7), FHWA and NDOT are requesting your participation in determining the scope of issues to be addressed in the Environmental Impact Statement (EIS) and for identifying the significant impacts related to the proposed action. A Notice of Intent was published in the Federal Register (Volume 65, Number 23) on February 3, 2000 requesting comments and suggestions from all interested parties and providing notification of a Scoping Meeting to be held on Tuesday, February 22, 2000. You are hereby invited to attend the February 22nd Scoping Meeting, which will

be held from 3 p.m. to 7 p.m. in an open house forum at the McCarran Airport Meeting Facility, Second Floor Meeting Room 5, in Las Vegas, Nevada.

The specific goals and actions related to the scoping process and of the Scoping Meeting are as follows:

1. Involve the affected Federal, State, and local agencies, any affected Native American tribes, and other interested parties including utility providers.
2. Determine the scope and significant issues to be analyzed in depth in the EIS, and identify alternatives, mitigation requirements, and related analysis requirements and agency information needs.
3. Identify and eliminate from detailed study the issues which are not significant and/or which have been covered by prior environmental review.
4. Indicate any public environmental assessments and other environmental impact statements which are being or will be prepared that are related to but are not part of the scope of the Boulder City/US 93 Corridor EIS.
5. Identify other environmental review, consultation, and permit requirements so the lead and cooperating agencies may prepare other required analyses and studies concurrently with and integrated with, this EIS.
6. Determine the relationship between the timing of the preparation of environmental analyses and the tentative planning and decision making schedule for this proposed project.

We request that you please respond in writing with your agency's specific issues, relevant information, and review requirements either at the scoping meeting or by Tuesday, February 29th. If no response is received, FHWA and NDOT will assume you foresee no significant impacts in your particular area of responsibility or interest.

If you have comments or questions regarding the proposed project please leave a message at (702)369-6904, ext. 222, NDOT's Project voice mail, or contact Ted P. Bendure, Environmental Program

Manager, 705 N. Plaza, Suite 220, Carson City, Nevada 89701,
telephone (775)687-5322, email: ted.bendure@fhwa.dot.gov.

Sincerely yours,

/s/ John T. Price

John T. Price
Division Administrator

cc: Tom Greco, NDOT ✓
Michael Lasko, CH2M HILL
Jeffrey Bingham, CH2M HILL

RJB/sap
Y:\SCOOPING.1

Letters Sent To:

- Rob Herr - Clark County Works
- ✓ U.S. EPA - Carson City
- ✓ U.S. Fish & Wildlife Service
- ✓ Bureau of Indian Affairs - Carson City
- ✓ Advisory Council on Historic Preservation
- ✓ Bureau of Land Management/Las Vegas & Reno
- ✓ Colorado River Commission
- ✓ Clark County Health District, Air Pollution
- ✓ Clark County Regional Flood Control District
- ✓ Clark County Sheriff
- ✓ City of Henderson Police Department
- ✓ City of Henderson Fire Department
- ✓ Boulder City Police Department Boulder City Fire Department
- ✓ Boulder City Airport
- ✓ Boulder City Public Works
- ✓ The Moapa Paiute Tribe
- ✓ Las Vegas Indian Center
- ✓ The Fort Mohave Indian Tribe
- ✓ Hualapai Tribe
- ✓ Nevada Power Company
- ✓ Southwest Gas
- ✓ U.S. Sprint
- ✓ Los Angeles Department of Water and Power
- ✓ Southern California Edison
- ✓ Nevada Division of Wildlife
- ✓ Nevada State Historic Preservation Office
- ✓ Nevada Division of Environmental Protection
- ✓ Nevada State Division of Museums and History
- ✓ Nevada Highway Patrol

RJB/sap
Y:\SCOOPING.1



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701
February 11, 2000

IN REPLY REFER TO
HDA-NV

Subject: Boulder City/US 93 Corridor EIS
Invitation for Cooperating Agency Participation

See Attached List.

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT), will prepare an Environmental Impact Statement (EIS) proposing to improve U.S. Highway 93 in the vicinity of Boulder City and Henderson, Nevada. A Notice of Intent was published in the Federal Register (Volume 65, Number 23) on February 3, 2000. The proposed project would involve improvements to the highway corridor from its west terminus in east Henderson to a point about 7.6 kilometers (4.7 miles) east of Boulder City, which is coincidental with the planned terminus of the US 93 Hoover Dam Bypass project.

Improvement to the corridor are considered necessary to provide for existing and projected traffic demand and to correct high accident areas. Specifically, the EIS will evaluate mitigating traffic problems in the vicinity of Boulder City; replacing the at-grade railroad crossing near Railroad Pass; reducing the high accident rate at the intersection of the Railroad Pass Casino entrance; upgrading the existing US 93/US 95 Interchange; and a tie-in with the US 93 Hoover Dam Bypass Project. The EIS will study all reasonable alternatives, including potential new routes, as well as the "no action" alternative.

The FHWA, as lead agency, will prepare an Environmental Impact Statement (EIS) for the proposed project following the Council on Environmental Quality (CEQ) "Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA)" of November 29, 1978 (40 CFR, Parts 1500-1508). In accordance with CEQ REG 1501.6 and 23 CFR 771, the FHWA is inviting your agency to become a cooperating agency in the development of this project.

We are inviting cooperating agency status from the following agencies: U.S. Fish and Wildlife Service (Reno office), U.S. Army Corps of Engineers (Reno office), Environmental Protection Agency

(Region 9), Bureau of Reclamation, National Park Service, Western Area Power Administration, Boulder City, City of Henderson, and Clark County Regional Transportation Commission.

The views of cooperating agencies will be sought throughout all stages of the EIS to preclude any subsequent and duplicative effort. This coordination will aid in identifying all reasonable alternatives; social, economic, and environmental impacts; and measures to minimize adverse impacts that may result from this project.

Enclosed is a copy of the FHWA "Guidance on Cooperating Agencies," which outlines the responsibilities of the FHWA (as lead agency) and of cooperating agencies. It is our intention to proceed with the agency coordination based on this guidance. More project-specific responsibilities may be worked out during the scoping process. An interagency Project Management Team (PMT) was formed in January of this year to guide our project development process. Agencies already represented on the PMT may want to designate their members as our point of contact. Cooperating agencies not represented on the PMT are asked to designate a single point of contact for their agency.

In compliance with the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) regulations (40 CFR 1501.7), there shall be an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action. We request your participation in the scoping process and the initial scoping meeting to be held on Tuesday, February 22. That meeting will be held from 3 p.m. to 7 p.m. in an open house forum in Las Vegas at the McCarran Airport, second floor meeting room 5.

We look forward to your response for participating as a cooperating agency and for participating in the scoping meeting. We ask that you please respond in writing with your agency's specific issues, relevant information, and review requirements either at the scoping meeting or by February 29. If you have any questions or need additional information, you may contact Mr. Ted

P. Bendure, Environmental Program Manager, 705 N. Plaza, Suite 220, Carson City, Nevada 89701, telephone: (775) 687-5322, email: ted.bendure@fhwa.dot.gov.

Sincerely yours,

/s/ John T. Price

John T. Price
Division Administrator

enclosure

cc: Tom Greco, NDOT
Michael Lasko, CH2M HILL ✓
Jeffrey Bingham, CH2M HILL

See attachment for letters sent.

Letters sent to:

Mr. Robert Johnson - Bureau of Reclamation
Chet Buchanan - U.S. Fish and Wildlife Service
Mr. Kevin Roukey - U.S. Army Corps of Engineers
Ms. Felicia Marcus - Environmental Protection Agency
Michael S, HacsKaylo - Western Area Oower
Mr. John Sullard - Boulder City
Mr. Kevin Hill - Henderson
Gary Johnson - Clark County RTC
Jim Holland - NPS/LMNRA



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701
February 11, 2000

IN REPLY REFER TO
HDA-NV

Subject: Boulder City/US 93 Corridor EIS
Invitation for Cooperating Agency Participation

Mr. Jeff Steinmetz
Environmental Protection Specialist
Bureau of Land Management
4765 Vegas Drive
Las Vegas, NV 89108

Dear Mr. Steinmetz:

The Federal Highway Administration (FHWA), in cooperation with the Nevada Department of Transportation (NDOT), will prepare an Environmental Impact Statement (EIS) proposing to improve U.S. Highway 93 in the vicinity of Boulder City and Henderson, Nevada. A Notice of Intent was published in the Federal Register (Volume 65, Number 23) on February 3, 2000. The proposed project would involve improvements to the highway corridor from its west terminus in east Henderson to a point about 7.6 kilometers (4.7 miles) east of Boulder City, which is coincidental with the planned terminus of the US 93 Hoover Dam Bypass project.

Improvement to the corridor are considered necessary to provide for existing and projected traffic demand and to correct high accident areas. Specifically, the EIS will evaluate mitigating traffic problems in the vicinity of Boulder City; replacing the at-grade railroad crossing near Railroad Pass; reducing the high accident rate at the intersection of the Railroad Pass Casino entrance; upgrading the existing US 93/US 95 Interchange; and a tie-in with the US 93 Hoover Dam Bypass Project. The EIS will study all reasonable alternatives, including potential new routes, as well as the "no action" alternative.

The FHWA, as lead agency, will prepare an Environmental Impact Statement (EIS) for the proposed project following the Council on Environmental Quality (CEQ) "Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA)" of November 29, 1978 (40 CFR, Parts 1500-1508). In accordance with CEQ REG 1501.6 and 23 CFR 771, the FHWA is inviting your agency to become a cooperating agency in the development of this project.

We are inviting cooperating agency status from the following agencies: U.S. Fish and Wildlife Service (Reno office), U.S. Army Corps of Engineers (Reno office), Environmental Protection Agency

(Region 9), Bureau of Reclamation, National Park Service, Western Area Power Administration, Boulder City, City of Henderson, Bureau of Land Management (Las Vegas), and Clark County Regional Transportation Commission.

The views of cooperating agencies will be sought throughout all stages of the EIS to preclude any subsequent and duplicative effort. This coordination will aid in identifying all reasonable alternatives; social, economic, and environmental impacts; and measures to minimize adverse impacts that may result from this project.

Enclosed is a copy of the FHWA "Guidance on Cooperating Agencies," which outlines the responsibilities of the FHWA (as lead agency) and of cooperating agencies. It is our intention to proceed with the agency coordination based on this guidance. More project-specific responsibilities may be worked out during the scoping process. An interagency Project Management Team (PMT) was formed in January of this year to guide our project development process. Agencies already represented on the PMT may want to designate their members as our point of contact. Cooperating agencies not represented on the PMT are asked to designate a single point of contact for their agency.

In compliance with the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality (CEQ) regulations (40 CFR 1501.7), there shall be an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action. We request your participation in the scoping process and the initial scoping meeting to be held on Tuesday, February 22. That meeting will be held from 3 p.m. to 7 p.m. in an open house forum in Las Vegas at the McCarran Airport, second floor meeting room 5.

We look forward to your response for participating as a cooperating agency and for participating in the scoping meeting. We ask that you please respond in writing with your agency's specific issues, relevant information, and review requirements either at the scoping meeting or by February 29. If you have any questions or need additional information, you may contact Mr. Ted

P. Bendure, Environmental Program Manager, 705 N. Plaza, Suite 220, Carson City, Nevada 89701, telephone: (775) 687-5322, email: ted.bendure@fhwa.dot.gov.

Sincerely yours,

/s/ John T. Price

John T. Price
Division Administrator

enclosure

cc: Tom Greco, NDOT
Michael Lasko, CH2M HILL ✓
Jeffrey Bingham, CH2M HILL

Letters sent to:

Mr. Robert Johnson - Bureau of Reclamation
Chet Buchanan - U.S. Fish and Wildlife Service
Mr. Kevin Roukey - U.S. Army Corps of Engineers
Ms. Felicia Marcus - Environmental Protection Agency
Michael S, HacsKaylo - Western Area Oower
Mr. John Sullard - Boulder City
Mr. Kevin Hill - Henderson
Gary Johnson - Clark County RTC
Jim Holland - NPS/LMNRA
Mr. Jeff Steinmetz, Bureau of Land management



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

January 12, 2000

Correspondence Log No. BC-0010
EA No. 72474

Project No. 155933

Mr. Kris Mills
Water Resources Manager
Bureau of Reclamation
P.O. Box 61470
Boulder City, NV 89006

Subject: Project Management Team Meeting

Dear Kris:

The Nevada Department of Transportation (NDOT) has initiated the Boulder City/US93 Corridor Study. Please see the attached Intent to Study Letter, overall upcoming project meetings list, for the first quarter of 2000, and a Project Schedule. Your agency has been identified by the Federal Highway Administration and NDOT as an important cooperating agency and as a Project Management Team (PMT) Member in the study process for the project. We invite you to take part in our PMT Meetings to be held monthly. The first meeting is scheduled at CH2M HILL's Las Vegas office for Tuesday, January 25, 2000 from 10:00 a.m. to 2:00 p.m. Lunch will be provided at the meeting.

We would like to take this opportunity to develop lines of communication, an overall understanding of the project, and the role of the PMT. Please call Jean Wittie at (702) 369-6175 or e-mail at jwittie@ch2m.com to confirm your attendance at the meeting, and provide name(s) of those attending. Also, please contact NDOT Project Manager Tom Greco at (775) 888-7317 or e-mail at tgrec@dot.state.nv.us or myself at (702) 369-6904 x 217 or e-mail at mlasko@ch2m.com if you have questions or comments.

Sincerely,

CH2M HILL

Michael S. Lasko, P.E.
Project Manager

Attachments

C: Tom Greco, P.E./NDOT

P:\TBG\BC US93 Corridor Study\Correspondence Out\PMT Invitation 1_12.doc



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

January 12, 2000

Correspondence Log No. BC-0010
EA No. 72474

Project No. 155933

Mr. Robert Herr, P.E.
Clark County Dept. of Public Works
500 South Grand Central Parkway
Las Vegas, NV 89155

Subject: Project Management Team Meeting

Dear Robert:

The Nevada Department of Transportation (NDOT) has initiated the Boulder City/US93 Corridor Study. Please see the attached Intent to Study Letter, overall upcoming project meetings list, for the first quarter of 2000, and a Project Schedule. Your agency has been identified by the Federal Highway Administration and NDOT as an important cooperating agency and as a Project Management Team (PMT) Member in the study process for the project. We invite you to take part in our PMT Meetings to be held monthly. The first meeting is scheduled at CH2M HILL's Las Vegas office for Tuesday, January 25, 2000 from 10:00 a.m. to 2:00 p.m. Lunch will be provided at the meeting.

We would like to take this opportunity to develop lines of communication, an overall understanding of the project, and the role of the PMT. Please call Jean Wittie at (702) 369-6175 or e-mail at jwittie@ch2m.com to confirm your attendance at the meeting, and provide name(s) of those attending. Also, please contact NDOT Project Manager Tom Greco at (775) 888-7317 or e-mail at tgreco@dot.state.nv.us or myself at (702) 369-6904 x 217 or e-mail at mlasko@ch2m.com if you have questions or comments.

Sincerely,

CH2M HILL

Michael S. Lasko, P.E.
Project Manager

Attachments

C: Tom Greco, P.E./NDOT

P:\TBG\BC US93 Corridor Study\Correspondence Out\PMT Invitation 1_12.doc



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

January 12, 2000

Correspondence Log No. BC-0010
EA No. 72474

Project No. 155933

Mr. Mark Calhoun, P.E.
Public Works Director
City of Henderson
240 Water Street
Henderson, NV 89015

Subject: Project Management Team Meeting

Dear Mark:

The Nevada Department of Transportation (NDOT) has initiated the Boulder City/US93 Corridor Study. Please see the attached Intent to Study Letter, overall upcoming project meetings list, for the first quarter of 2000, and a Project Schedule. Your agency has been identified by the Federal Highway Administration and NDOT as an important cooperating agency and as a Project Management Team (PMT) Member in the study process for the project. We invite you to take part in our PMT Meetings to be held monthly. The first meeting is scheduled at CH2M HILL's Las Vegas office for Tuesday, January 25, 2000 from 10:00 a.m. to 2:00 p.m. Lunch will be provided at the meeting.

We would like to take this opportunity to develop lines of communication, an overall understanding of the project, and the role of the PMT. Please call Jean Wittie at (702) 369-6175 or e-mail at jwittie@ch2m.com to confirm your attendance at the meeting, and provide name(s) of those attending. Also, please contact NDOT Project Manager Tom Greco at (775) 888-7317 or e-mail at tgrec@dot.state.nv.us or myself at (702) 369-6904 x 217 or e-mail at mlasko@ch2m.com if you have questions or comments.

Sincerely,

CH2M HILL

Michael S. Lasko, P.E.
Project Manager

Attachments

C: Tom Greco, P.E./NDOT

P:\TBG\BC US93 Corridor Study\Correspondence Out\PMT Invitation 1_12.doc



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

January 12, 2000

Correspondence Log No. BC-0010
EA No. 72474

Project No. 155933

Mr. Kevin Hill, P.E.
City Engineer
City of Henderson
240 Water Street
Henderson, NV 89015

Subject: Project Management Team Meeting

Dear Kevin:

The Nevada Department of Transportation (NDOT) has initiated the Boulder City/US93 Corridor Study. Please see the attached Intent to Study Letter, overall upcoming project meetings list, for the first quarter of 2000, and a Project Schedule. Your agency has been identified by the Federal Highway Administration and NDOT as an important cooperating agency and as a Project Management Team (PMT) Member in the study process for the project. We invite you to take part in our PMT Meetings to be held monthly. The first meeting is scheduled at CH2M HILL's Las Vegas office for Tuesday, January 25, 2000 from 10:00 a.m. to 2:00 p.m. Lunch will be provided at the meeting.

We would like to take this opportunity to develop lines of communication, an overall understanding of the project, and the role of the PMT. Please call Jean Wittie at (702) 369-6175 or e-mail at jwittie@ch2m.com to confirm your attendance at the meeting, and provide name(s) of those attending. Also, please contact NDOT Project Manager Tom Greco at (775) 888-7317 or e-mail at tgrec@dot.state.nv.us or myself at (702) 369-6904 x 217 or e-mail at mlasko@ch2m.com if you have questions or comments.

Sincerely,

CH2M HILL

Michael S. Lasko, P.E.
Project Manager

Attachments

C: Tom Greco, P.E./NDOT

P:\TBG\BC US93 Corridor Study\Correspondence Out\PMT Invitation 1_12.doc



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

January 12, 2000

Correspondence Log No. BC-0010
EA No. 72474

Project No. 155933

Mr. John Sullard
City Manager
City of Boulder City
401 California
Boulder City, NV 89005

Subject: Project Management Team Meeting

Dear John:

The Nevada Department of Transportation (NDOT) has initiated the Boulder City/US93 Corridor Study. Please see the attached Intent to Study Letter, overall upcoming project meetings list, for the first quarter of 2000, and a Project Schedule. Your agency has been identified by the Federal Highway Administration and NDOT as an important cooperating agency and as a Project Management Team (PMT) Member in the study process for the project. We invite you to take part in our PMT Meetings to be held monthly. The first meeting is scheduled at CH2M HILL's Las Vegas office for Tuesday, January 25, 2000 from 10:00 a.m. to 2:00 p.m. Lunch will be provided at the meeting.

We would like to take this opportunity to develop lines of communication, an overall understanding of the project, and the role of the PMT. Please call Jean Wittie at (702) 369-6175 or e-mail at jwittie@ch2m.com to confirm your attendance at the meeting, and provide name(s) of those attending. Also, please contact NDOT Project Manager Tom Greco at (775) 888-7317 or e-mail at tgrec@dot.state.nv.us or myself at (702) 369-6904 x 217 or e-mail at mlasko@ch2m.com if you have questions or comments.

Sincerely,

CH2M HILL

Michael S. Lasko, P.E.
Project Manager

Attachments

C: Tom Greco, P.E./NDOT

P:\TBG\BC US93 Corridor Study\Correspondence Out\PMT Invitation 1_12.doc



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

January 12, 2000

Correspondence Log No. BC-0010
EA No. 72474

Project No. 155933

Mr. Jim Holland
National Park Service
Lake Mead Recreation Area
601 Nevada Highway
Boulder City, NV 89005

Subject: Project Management Team Meeting

Dear Jim:

The Nevada Department of Transportation (NDOT) has initiated the Boulder City/US93 Corridor Study. Please see the attached Intent to Study Letter, overall upcoming project meetings list, for the first quarter of 2000, and a Project Schedule. Your agency has been identified by the Federal Highway Administration and NDOT as an important cooperating agency and as a Project Management Team (PMT) Member in the study process for the project. We invite you to take part in our PMT Meetings to be held monthly. The first meeting is scheduled at CH2M HILL's Las Vegas office for Tuesday, January 25, 2000 from 10:00 a.m. to 2:00 p.m. Lunch will be provided at the meeting.

We would like to take this opportunity to develop lines of communication, an overall understanding of the project, and the role of the PMT. Please call Jean Wittie at (702) 369-6175 or e-mail at jwittie@ch2m.com to confirm your attendance at the meeting, and provide name(s) of those attending. Also, please contact NDOT Project Manager Tom Greco at (775) 888-7317 or e-mail at tgrec@dot.state.nv.us or myself at (702) 369-6904 x 217 or e-mail at mlasko@ch2m.com if you have questions or comments.

Sincerely,

CH2M HILL

Michael S. Lasko, P.E.
Project Manager

Attachments

C: Tom Greco, P.E./NDOT

P:\TBG\BC US93 Corridor Study\Correspondence Out\PMT Invitation 1_12.doc



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

January 12, 2000

Correspondence Log No. BC-0010
EA No. 72474

Project No. 155933

Mr. Ted Bendure, P.E.
Federal Highway Administration
701 North Plaza
Carson City, NV 89712

Subject: Project Management Team Meeting

Dear Ted:

The Nevada Department of Transportation (NDOT) has initiated the Boulder City/US93 Corridor Study. We invite you to take part in our PMT Meetings to be held monthly. The first meeting is scheduled at CH2M HILL's Las Vegas office for Tuesday, January 25, 2000 from 10:00 a.m. to 2:00 p.m. Lunch will be provided at the meeting.

We would like to take this opportunity to develop lines of communication, an overall understanding of the project, and the role of the PMT. Please call Jean Wittie at (702) 369-6175 or e-mail at jwittie@ch2m.com to confirm your attendance at the meeting, and provide name(s) of those attending. Also, please contact NDOT Project Manager Tom Greco at (775) 888-7317 or e-mail at tgrec@dot.state.nv.us or myself at (702) 369-6904 x 217 or e-mail at mlasko@ch2m.com if you have questions or comments.

Sincerely,

CH2M HILL

Michael S. Lasko, P.E.
Project Manager

Attachments

C: Tom Greco, P.E./NDOT

P:\TBG\BC US93 Corridor Study\Correspondence Out\PMT Invitation 1_12.doc



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

January 12, 2000

Correspondence Log No. BC-0010
EA No. 72474

Project No. 155933

Mr. Kurt Weinrich, P.E.
Clark County Regional Transportation Comm.
600 South Grand Central Parkway
Las Vegas, NV 89106

Subject: Project Management Team Meeting

Dear Kurt:

The Nevada Department of Transportation (NDOT) has initiated the Boulder City/US93 Corridor Study. Please see the attached Intent to Study Letter, overall upcoming project meetings list, for the first quarter of 2000, and a Project Schedule. Your agency has been identified by the Federal Highway Administration and NDOT as an important cooperating agency and as a Project Management Team (PMT) Member in the study process for the project. We invite you to take part in our PMT Meetings to be held monthly. The first meeting is scheduled at CH2M HILL's Las Vegas office for Tuesday, January 25, 2000 from 10:00 a.m. to 2:00 p.m. Lunch will be provided at the meeting.

We would like to take this opportunity to develop lines of communication, an overall understanding of the project, and the role of the PMT. Please call Jean Wittie at (702) 369-6175 or e-mail at jwittie@ch2m.com to confirm your attendance at the meeting, and provide name(s) of those attending. Also, please contact NDOT Project Manager Tom Greco at (775) 888-7317 or e-mail at tgrec@dot.state.nv.us or myself at (702) 369-6904 x 217 or e-mail at mlasko@ch2m.com if you have questions or comments.

Sincerely,

CH2M HILL

Michael S. Lasko, P.E.
Project Manager

Attachments

C: Tom Greco, P.E./NDOT

P:\TBG\BC US93 Corridor Study\Correspondence Out\PMT Invitation 1_12.doc



CH2MHILL

CH2M HILL
2000 E. Flamingo Road
Suite A
Las Vegas, NV
89119-5163
Tel 702.369.6175
Fax 702.369.1107

January 12, 2000

Correspondence Log No. BC-0010
EA No. 72474

Project No. 155933

Mr. Bob Murnane, P.E.
Manager of Transportation Projects
City of Henderson
240 Water Street
Henderson, NV 89015

Subject: Project Management Team Meeting

Dear Bob:

The Nevada Department of Transportation (NDOT) has initiated the Boulder City/US93 Corridor Study. Please see the attached Intent to Study Letter, overall upcoming project meetings list, for the first quarter of 2000, and a Project Schedule. Your agency has been identified by the Federal Highway Administration and NDOT as an important cooperating agency and as a Project Management Team (PMT) Member in the study process for the project. We invite you to take part in our PMT Meetings to be held monthly. The first meeting is scheduled at CH2M HILL's Las Vegas office for Tuesday, January 25, 2000 from 10:00 a.m. to 2:00 p.m. Lunch will be provided at the meeting.

We would like to take this opportunity to develop lines of communication, an overall understanding of the project, and the role of the PMT. Please call Jean Wittie at (702) 369-6175 or e-mail at jwittie@ch2m.com to confirm your attendance at the meeting, and provide name(s) of those attending. Also, please contact NDOT Project Manager Tom Greco at (775) 888-7317 or e-mail at tgrec@dot.state.nv.us or myself at (702) 369-6904 x 217 or e-mail at mlasko@ch2m.com if you have questions or comments.

Sincerely,

CH2M HILL

Michael S. Lasko, P.E.
Project Manager

Attachments

C: Tom Greco, P.E./NDOT

P:\TBG\BC US93 Corridor Study\Correspondence Out\PMT Invitation 1_12.doc



KENNY C. GUINN
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

January 6, 2000

TOM STEPHENS, P.E., *Director*

In Reply Refer to:

Intent-to-Study Letter
Boulder City/U.S. 93 Corridor Study
EA 72474

To Interested Parties:

The Nevada Department of Transportation (NDOT), in cooperation with the Federal Highway Administration (FHWA), is preparing an Environmental Impact Statement (EIS) on a proposal to improve U.S. Highway 93 in the cities of Boulder City and Henderson, Clark County, Nevada.

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand and to correct existing high accident areas. Specifically, the project will evaluate mitigating congestion in the vicinity of Boulder City; replacing the at-grade railroad crossing near Railroad Pass; reducing the high accident rate at the signalized intersection of the Railroad Pass Casino entrance; upgrading the existing US 93/US 95 Interchange; and a tie-in with the US 93 Hoover Dam Bypass Project.

In compliance with the National Environmental Policy Act of 1969 (NEPA), NDOT is assessing the proposed project's impacts. This letter is intended to inform you of the current study and solicit your comments concerning the project. Areas of potential impact could include, but are not limited to, the following:

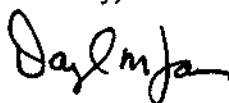
- | | |
|-----------------------|--|
| 1. Access | 9. Property Values |
| 2. Aesthetics | 10. Public Parks & Recreation Areas |
| 3. Air Quality | 11. Safety |
| 4. Archaeological | 12. Social and Economic Considerations |
| 5. Geology | 13. Vegetation |
| 6. Historic Buildings | 14. Water Quality & Hydrology |
| 7. Land Use | 15. Wildlife & Western Refuges |
| 8. Noise Levels | 16. Hazardous Waste |

We would appreciate receiving any response you might have by 5:00 p.m., Friday, February 18, 2000. If no response is received, the Department will assume you foresee no significant impacts in your particular area of responsibility or interest.

An Informational Meeting to brief interested individuals, groups, and agencies on the project and to receive comments and suggestions will be held on Wednesday, January 26, 2000 from 4:00 to 7:00 p.m. at the Southern Community College of Nevada, Boulder City Campus, Room 100, 700 Wyoming Street, Boulder City, Nevada. A copy of the meeting notice is attached.

If you have comments or questions regarding the proposed project please leave a message at (702) 369-6904 ext. 222 or contact Daniel Nollisch, Environmental Services Division, Nevada Department of Transportation, 1263 S. Stewart Street, Carson City, Nevada 89712, telephone (775) 888-7687.

Sincerely,

A handwritten signature in black ink, appearing to read "Daryl N. James".

Daryl N. James, P.E.
Chief, Environmental Services Division

Attachment

**NOTICE OF
PUBLIC
MEETING**



For the Boulder City U.S. 93 Corridor Study

Informational Meeting

**Wednesday, January 26, 2000, 4:00 p.m. – 7:00 p.m.
Southern Community College of Nevada,
Boulder City Campus, Room 100
700 Wyoming Street, Boulder City, Nevada**

The Nevada Department of Transportation (NDOT), is preparing an environmental impact statement (EIS) on a proposal to improve U.S. Highway 93 in the cities of Boulder City and Henderson, Clark County, Nevada.

NDOT is conducting an open format meeting and invites members of the public to attend anytime between the hours of 4:00 and 7:00 p.m. to learn more about the study goals and the process and to provide feedback on the project. Project staff will be available to discuss the project and answer questions. Improvements to the corridor are considered necessary to provide for projected growth and to improve safety. Specifically, the project will evaluate mitigating congestion in the Boulder City area; replacing the railroad crossing near Railroad Pass; reducing the high accident rate at the signalized intersection of the Railroad Pass Casino entrance; upgrading the existing US 93/US 95 Interchange; and provide a tie-in with the US 93 Hoover Dam Bypass Project.

For additional information on this meeting please leave a message at (702) 369-6904 ext. 222 or contact Tom Greco, NDOT Project Manager directly at (775) 888-7590.

Individuals with disabilities requiring accommodations for effective participation and communication at the meeting may contact Tom Greco, NDOT (phone number above), to make known their needs and preferences. Requests for accommodation must be made at least 48 hours in advance of the meeting.



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
Nevada Division
705 North Plaza Street, Suite 220
Carson City, NV 89701
January 3, 2000

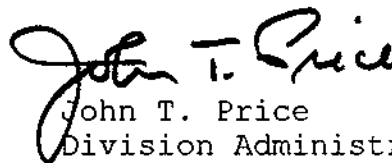
IN REPLY REFER TO
HDA-NV
SPF-093-1(010)
Strategic Goal: Environment

Subject: Notice of Intent to Study

Office of the Federal Register
800 N. Capital Street N.W., Suite 700
Washington D.C. 20408

Please publish the enclosed "Notice of Intent" in the Federal Register at your earliest convenience.

Sincerely yours,


John T. Price
Division Administrator

Enclosure

CC: NDOT - T. Greco
NDOT - D. James
CH2M Hill - J. Bingham

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

ENVIRONMENTAL IMPACT STATEMENT: Clark County, Nevada

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in the cities of Boulder City and Henderson, Clark County, Nevada.

FOR FURTHER INFORMATION CONTACT: Ted P. Bendure, Environmental Program Manager, Federal Highway Administration, 705 N. Plaza, Suite 220, Carson City, NV 89701, Telephone: 775-687-5322, E-mail: ted.bendure@fhwa.dot.gov.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Nevada Department of Transportation, will prepare an environmental impact statement (EIS) on a proposal to improve U.S. Highway 93 (US 93) in the cities of Boulder City and Henderson, Clark County, Nevada. The proposed project would involve improvements to the US 93 Corridor between the west terminus of the present US 93 highway through Henderson, Nevada (milepost 59±) on the west end and the east terminus of the project on US 93 (milepost 2.5±), a point about 7.6 kilometers (4.7 miles) east of downtown Boulder City which is coincidental with the planned terminus of the US 93 Hoover Dam Bypass project. The project covers a total distance of approximately 16.7 kilometers (10.4 miles) on the present route.

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand and to correct existing high accident areas. Specifically, the project will evaluate mitigating congestion in the vicinity of Boulder City; replacing the at-grade railroad crossing near Railroad Pass; reducing the high accident rate at the signalized intersection of the Railroad Pass Casino entrance; upgrading the existing US 93/US 95

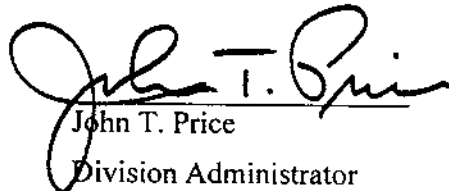
Interchange; and a tie-in with the US 93 Hoover Dam Bypass Project. The EIS will consider the effects of the proposed project, the No Action alternative, and other alternatives to the proposed project.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this project. A project scoping meeting will be held in Las Vegas, Nevada on February 22, 2000 with the appropriate agencies. In addition, public information meetings will be held throughout the duration of the project and a public hearing will be held for the draft EIS. Public notices will be given announcing the time and place of the public meetings and the hearing. The draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: 1/3/00



John T. Price
Division Administrator

Federal Highway Administration

tb/jp

Appendix B

Stakeholder Meeting Summary

Boulder City/U.S. 93 Corridor Study Stakeholder Meeting Summary

TO: Tom Greco/NDOT

COPIES: Jeff Bingham/CH2M HILL
Leslie Regos/CH2M HILL
John Taylor/CH2M HILL
Jean Wittie/CH2M HILL
File

FROM: Michael Lasko/CH2M HILL

DATE: June 29, 2001 (REVISED)

Boulder City/U.S. 93 Corridor Study STAKEHOLDER MEETING SUMMARY

Lake Mountain Homeowners Association:

Contact: Ed Waymire (702) 294-0037, fax (702) 294-4190

Address:

Lake Mountain Estates Clubhouse
510 Lakes Drive
Boulder City, NV 89005

Date: January 15, 2001

Time: 7:00 p.m.

Approximate Number of Attendees: 80

Meeting Summary

Tom Greco, Stephen Smith, and Michael Lasko presented the project to the subject homeowner's association. There was considerable discussion about the Hemenway Valley Wash alternatives relative to noise and air quality impacts and accessibility to the commercial corridor in town. A majority of the attendees voiced support for Alternative D (Southern Corridor). There was also discussion about the Hoover Dam Bypass Environmental Impact Statement (EIS) project. We discussed the independent utility of each project with the group. The group was also interested in the recent work completed for the Laughlin/Bullhead Alternative for the Hoover Draft EIS.

Councilman Bill Smith was in attendance at the meeting. One individual made the point that the "human" quality of life considerations should outweigh the impacts to threatened and endangered species.

National Park Service:

Contact: Jim Holland (702) 293-8986

Address:

National Park Service Headquarters
601 Nevada Highway
Boulder City, NV 89005

Date: January 16, 2001

Time: 8:30 a.m.

Approximate Number of Attendees: 25

Meeting Summary

Tom Greco, John Taylor, and Michael Lasko met with the National Park Service (NPS) staff to discuss the project schedule and the four alternatives being studied for the Draft EIS. Bill Dickinson, the new Lake Mead National Recreation Area Park Superintendent, was in attendance at the meeting. We discussed the east end terminus with the staff, describing that there are three priorities we are accommodating: 1) access to Lake Mead, 2) access to existing U.S. 93 near the Hacienda Hotel, and 3) access for employees and tourists to Hoover Dam. We indicated to NPS that the original southern alignment, and its corresponding east-end interchange, was developed on the uphill side of the existing terrain and required a long bridge across the Gold Strike Canyon; it had been modified at the request of the Project Management Team (PMT). The new alignment and interchange presented at the meeting was developed closer to U.S. 93 with directional access to Lake Mead.

NPS indicated they are very interested in the outcome of the project and will continue to be a cooperating agency. NPS voiced a preference to use existing right-of-way wherever it is feasible and prudent.

Lake Mead View Estates Owners Association:

Contact: Mike Ranz (702) 294-3801 or Denny Haas (702) 294-1401

Address:

Multipurpose Room
6th Street
Boulder City, NV 89005

Date: January 23, 2001

Time: 7:00 p.m.

Approximate Number of Attendees: 45

Meeting Summary

Tom Greco and Michael Lasko presented the project to the subject homeowner's group. This association represents homes bounded by Nevada Hwy. on the west and U.S. 93 as the northern boundary. Several of the homeowner's expressed concern about the existing traffic problems along existing U.S. 93 through the Hemenway Valley Wash. Their concerns included difficult access to U.S. 93, noise, air pollution, and an inordinate amount of large trucks traveling through the corridor.

The group was very interested in who will be making the final selection of the project. Tom

conveyed to the group that the City Councils for Boulder City and Henderson and the Director of the Nevada Department of Transportation (NDOT) have significant influence in the recommendation process. It was indicated that the final selection would be made by the Federal Highway Administration (FHWA). The group indicated a preference to the Southern Corridor.

Boulder City Community Association:

Contact: Elaine Wente (702) 293-7712

Address:

Boulder City Community Association Clubhouse
1010 Industrial Road
Boulder City, NV 89005

Date: January 26, 2001

Time: 5:30 p.m.

Approximate Number of Attendees: 60

Meeting Summary

Tom Greco, Michael Lasko, and Loren Bloomberg attended this presentation. The association represents the community in the Boulder Oaks Trailer Village. The group was very attentive to the presentation and interested in Alternative C, which runs just north of the trailer village. The group expressed concerns about noise, visual impacts, pedestrian access to the commercial district, and the close proximity to their northern boundary of their property. The group was also interested in the physical and travel time delay impacts during construction to Las Vegas. A majority of the attendees expressed support for the Southern Corridor.

Boulder City Horsemen's Association:

Contact: Tim Sharp/President, cell (702) 491-8126, home (702) 293-2482

Address:

Boulder City Corral
591 Corral Road
Boulder City, NV 89005

Date: February 3, 2001

Time: Noon

Approximate Number of Attendees: 30

Meeting Summary

Michael Lasko met with the Horseman's Association to discuss the project schedule and scope. The association was very interested in maintaining recreational access to the Colorado River and the Eldorado Valley. The group uses Wash C to walk horses to the southern valley area. Additionally, they trailer the horses down Buchanan to the Mead Substation and then travel due east on the substation access road just east of the facility where they park their vehicles and unload the horses. The group also uses the dirt access road to the landfill and rifle range. As a minimum, we indicated that a grade separation is anticipated at Buchanan, 12-foot by 12-foot box culverts at Wash C, and a grade separation at the landfill access road. The group was agreeable to the recreational access.

American Legion:

Contact: Commander Doug McHam (702) 293-1267

Address:

American Legion Hall
508 California Avenue
Boulder City, NV 89005

Date: February 6, 2001

Time: 7:00 p.m.

Approximate Number of Attendees: 60

Meeting Summary

Tom Greco, Dan Andersen, and Michael Lasko made the presentation to the American Legion. This group was concerned about the growing difficulty in using U.S. 93 as a primary access into Boulder City from the Hemenway Valley Wash. They also expressed concern relative to the potential impacts to the business community with the proposed existing U.S. 93 corridor improvements. The consensus of the group was to work quickly to solve growing traffic problems along the corridor.

Regatta Pointe Homeowners Association:

Contact: Ken Kwiatkoski (702) 293-5564, fax (702) 294-0658 (Ross Wright, HOA Accountant)

Address:

Chamber Conference Room, Garden Level of the Boulder Dam Hotel
Boulder Dam Hotel
1305 Arizona Street
Boulder City, NV 89005

Date: February 8, 2001

Time: 7:00 p.m.

Approximate Number of Attendees: 40

Meeting Summary

Tom Greco and Michael Lasko met with this group, which is located in the Hemenway Valley Wash located north of U.S. 93 and south of Lake Mountain Road. The group expressed similar concerns about visual impacts, noise, air quality, and quality of life regarding the improvements along existing U.S. 93 for Alternatives B and C. Representatives from the group encouraged their peers to get involved in the process and this project. The majority of the attendees voiced support for the southern corridor alternative.

Boulder City Chamber of Commerce:

Contact: Connie Mancillas (702) 293-4446, fax (702) 293-0688

Address:

Chamber Conference Room, Garden Level of the Boulder Dam Hotel
Boulder Dam Hotel
1305 Arizona Street
Boulder City, NV 89005

Date: February 14, 2001

Time: 7:00 a.m.

Approximate Number of Attendees: 45

Meeting Summary

Tom Greco and Michael Lasko presented the project to the Chamber of Commerce. The businesses were very interested in Alternative B improvements to the existing U.S. 93. We discussed the potential for raised medians along the corridor. The Chamber requested NDOT address the Laughlin/Bullhead resolution passed by the Boulder City Council the night before. Tom indicated the alternative, addressed in the Hoover Dam Bypass EIS, is 23 miles longer, is constrained by sharp curves and steep grades, requires a new bridge, and would require an additional \$1.4 billion in highway user costs.

Bella Vista Homeowners Association:

Contact: Pat Bennett (702) 294-3175

Address:

Chamber Conference Room, Garden Level of the Boulder Dam Hotel
Boulder Dam Hotel
1305 Arizona Street
Boulder City, NV 89005

Date: February 22, 2001

Time: 7:00 p.m.

Approximate Number of Attendees: 45

Meeting Summary:

Tom Greco and Michael Lasko presented the project to the association. The neighborhood is located just north of the St. Jude's Ranch for Children and east of Lake Mountain Road. The group conveyed significant concerns relative to the large trucks using existing U.S. 93. They requested feedback on the timing of the Hoover Dam Bypass construction. The consensus of the group was that the bridge will be constructed and the traffic problems along U.S. 93 must be addressed. A majority of the attendees voiced support for the Southern Corridor Alternative over the other alternatives due to the potential for increased traffic, noise, and air pollution and safety problems in the Hemenway Valley Wash.

Lake View Development:

Contact: Mayor Ferraro (702) 293-9202

Address:

City Council Chambers
401 California Street
Boulder City, NV 89005

Date: April 9th, 2001

Time: 7:00 p.m.

Approximate Number of Attendees: 60

Meeting Summary:

Tom Greco and Michael Lasko presented the project to the Lake View Development. The neighborhood is located just west of the St. Jude's Ranch for Children and north of US 93. The group is very concerned about the proposed alternatives in the Hemenway Wash. Their concerns included building a highway closer to their homes within the NDOT right of way and the potential for right of way takes. The new channel improvements and pedestrian/bicycle path has significant value to this residential community. They also are interested in knowing what their future access to the subdivision will be after the construction of the facility. We invited them to our next public meeting in the summer. A small group was interested in knowing why the Laughlin alternative is not being considered as a viable alternative and circulated a petition after the meeting. This alternative was addressed by Tom Greco as an alternative that does not meet the purpose and need for the Boulder City/US 93 Corridor Study. A majority of the attendees voiced support for the Southern Corridor Alternative over the other alternatives due to the potential for increased traffic, noise, and air pollution and safety problems in the Hemenway Valley Wash.

Hoover Dam Bypass/CANAMEX/Boulder City/US 93 Corridor Study Town Hall Meeting:

Contact: Mayor Ferraro (702) 293-9202

Address:

City Council Chambers
401 California Street
Boulder City, NV 89005

Date: April 17th, 2001

Time: 7:00 p.m.

Approximate Number of Attendees: 100

Meeting Summary:

Dave Zanatell (Hoover Dam Bypass FHWA PM), Carol Sanger (CANAMEX Corridor Study PM), Tom Greco and Michael Lasko (Boulder City/US 93 Corridor PMs) presented the three separate projects at the request of Mayor Ferraro in a Town Hall meeting. Dave presented the results of the FEIS and the schedule forward for the HDB. Carol present the CANAMEX corridor study schedule and indicated that it is an economics study. Tom and Michael presented the Boulder City project scope and schedule of work. Many residents expressed concern about the traffic that would be travelling through Boulder City along existing US 93 with the opening of the new bridge,

improvements to US 93 and developing US 93 as an economic trade route. The Sierra Club was represented by Fred Dexter. He claimed the HDB project did not properly follow the NEPA process in scoping the project and claimed that the study limits of the projects are subject to segmentation.

Boulder City Realtor Group:

Contact: Chad Blair (702) 293-2171

Address:

United Title
Hotel Plaza
Boulder City, NV 89005

Date: April 9th, 2001

Time: 7:00 a.m.

Approximate Number of Attendees: 25

Meeting Summary:

Tom Greco and Michael Lasko presented the project to the a group of realtors representing home buyers and sellers in the Boulder City Area. The group was interested in knowing whether they are required to disclose the fact that there may be potential changes to US 93. We could not counsel them on disclosure laws their group is required to follow. In general, the group voice support for the Southern Corridor Alternative over the other alternatives due to the potential for increased traffic, noise, and air pollution and safety problems in the Hemenway Valley Wash.

Political Briefings:

Contact: Commissioner Bruce Woodbury (702) 455-3515

Boulder City Mayor and City Council (702) 293-9202

Address:

Commissioner Woodbury's Boulder City Law Office
Marshall Plaza
Boulder City, NV 89005

City Council Chambers
401 California Street
Boulder City, NV 89005

Date:

May 21, 2001 (Mayor Ferraro 9 am; Councilwoman elect Andrea Anderson 10 am; Councilman Mike Pacini 11:15 am; Councilman Bill Smith 1 p.m.)

May 23, 2001 (Councilman Joe Hardy 9 am; Councilman Bryan Nix 10:30 am)

May 25th, 2001 (Woodbury 8:30 am)

Time: See above

Approximate Number of Attendees: Individual briefings

Meeting Summary:

Tom Greco and Michael Lasko presented the project to the city council and Commissioner Woodbury. The following summary snapshots memorialize our meeting discussions:

Mayor Ferraro - The Mayor was planning a trip to Washington, DC to discuss the projects with the Nevada Senatorial and Congressional delegation. He indicated that if the City was unsuccessful in getting the delegations to consider and alternate route for the CANAMEX Corridor, he would support a Southern Corridor.

Councilwoman elect Anderson - Andrea Anderson was interested in learning more about the project schedule and when the public meeting will occur. She also asked if there is the possibility of moving the Southern Alignment south of the Mead Substation. We indicated the NEPA process allows for this possible solution and we recommended that she attend the public meeting.

Councilman Pacini - He was part of the Boulder City representation in Washington, DC. His briefing was similar to Mayor Ferraro's.

Council Smith - He was in the process of preparing an agenda item for the city's June 12 council meeting supporting the Southern Corridor. We recommended to the councilman that it would be better to wait until the DEIS is released.

Councilman Hardy - Councilman Hardy had a list of approximately 20 questions and concerns we addressed in his briefing. Under separate transmittal, we addressed the concerns in writing. Councilman Hardy expressed his support for the Southern Corridor.

Councilman Nix - We reviewed the NRS statutes, as we did in all briefings, that indicate Boulder City holds the key to the solution. Bryan indicated his support for the existing US 93 corridor improvements and that this would not require the consent of Boulder City.

Commissioner Woodbury - Bruce's discussion was similar to Joe Hardy's and we forwarded to him the same transmittal.

Appendix C

EIS Scoping Meeting Summary

February 22, 2000 EIS Scoping Meeting Summary Boulder City / US 93 Corridor Study

ATTENDEES:

Tom Greco/NDOT
Daryl James/NDOT
Michael Lasko/CH2M HILL
Jeff Bingham/CH2M HILL
John Taylor/CH2M HILL
David McEwen/CH2M HILL
Bruce Kreps/Sprint
Jim Cooley/Sprint
Jim Davenport/CRC
Chuck McEndree/WAPA
George R. Perkins/WAPA

Jim Holland/NPS
Greg Corbin/NV Div Museums
Ted Bendure/FHWA
William Anderson/Moapa Band
of Paiutes
Cricket VanWy/Southwest Gas
Ray E. Moser/Henderson Police
Brad Hardenbrook/NDOW
Kris Mills/USBR
Gary Johnson/Clark Co. RTC
Phillip Henry/Boulder City

**INVITED, NOT IN
ATTENDANCE**

Clark County Public Works
United States Environmental Protection Agency
United States Fish and Wildlife Service
Bureau of Indian Affairs - Carson City
Advisory Council on Historic Preservation
Bureau of Land Management (Las Vegas and Reno)
Clark County Health District, Air Pollution Control
Clark County Regional Flood Control District
Clark County Sheriff
City of Henderson Fire Department
Boulder City Police Department
Boulder City Fire Department
Boulder City Airport
Las Vegas Indian Center
Fort Mohave Indian Tribe
Hualapai Tribe
Nevada Power Company
LA Department of Water and Power
Southern California Edison
Nevada State Historic Preservation Office
Nevada Division of Environmental Protection
Nevada Highway Patrol

Prepared by: David McEwen/CH2M HILL
Reviewed by: Michael Lasko, Jeff Bingham, Tom Greco
DATE: March 13, 2000

The Agency EIS Scoping Meeting for the Boulder City / US 93 Corridor Study was held February 22, 2000 at McCarran Airport in Meeting Room 5, from 3:00 p.m. until 6:00 p.m. The meeting included a 20-minute project overview, question/answers addressed by PMT members, and an agency feedback segment. Attached is a copy of the scoping meeting handout that was provided to all attendees, as well as the meeting sign-in sheet. The following is a summary of items discussed:

I. Introduce Project Team and Brief Project Overview (Tom Greco)

- **Project Length**

The Environmental Impact Statement (EIS) project will last approximately 30 months. We have gone through 2 months to date.

- **Project Team**

Tom Greco introduced the following members of the Project Team

- Tom Greco/NDOT (Project Manager)
- Michael Lasko/CH2M HILL (Consultant Project Manager)
- Jeff Bingham/CH2M HILL (Consultant EIS Manager)
- Daryl James/NDOT (EIS Adminstrating Agency)
- Ted Bendure/FHWA (Lead Agency)

- **Project Management Team (PMT)**

Tom Greco introduced the following members of the Project Management Team

- John Sullard/Boulder City (not present)
- Jim Holland/National Park Service
- Gary Johnson/Clark County Regional Transportation Commission
- Kevin Hill/City of Henderson (not present)
- Kris Mills/U.S. Bureau of Reclamation
- Robert Herr/Clark County Public Works (not present)

- **Project Boundaries**

Tom Greco indicated the boundaries and areas within the scope of this study on an aerial photograph map. The entire Boulder City limits are within the project area. The study limits are as follows:

- Western Limit of Study: the Foothills Drive crossing in Henderson, where the freeway ends.
- Eastern Limit of Study: just east of the Hacienda Hotel and Casino on US 93, coincident with the western terminus of the Hoover Dam Bypass project, being developed by the Federal Highway Administration – Central Federal Lands Highway Division.

- **Project Objectives**

Tom Greco indicated that the preliminary objectives of the Boulder City/US 93 Corridor Study are as follows:

- Mitigating traffic problems along US 93 through Boulder City

- Replacing the at-grade railroad crossing of US 93 at Railroad Pass; the State Museum would like to see it reopened; NDOT would like to see it reopened, but not as an at-grade crossing
- Reducing vehicular accidents at Railroad Pass
- Upgrading the US 93/US 95 interchange geometry and evaluating access issues for the new golf course to be constructed north of this interchange

- **Public Input**

Public comments will be received and taken into consideration throughout the project. The first public meeting took place on January 26, 2000, at the Community College of Southern Nevada in Boulder City. The PMT received a wide variety of issues and concerns with respect to the US 93 Corridor from Boulder City residents and received input from some of the business owners in Boulder City.

II. Scoping Meeting Goals and Expectations (Daryl James)

- **Goals of this Meeting**

Daryl James indicated that the main goals of the EIS Scoping Meeting are to determine a list of issues and concerns (both significant and insignificant) and to begin to create a set of criteria on which we can evaluate potential alternative solutions to the objectives of the project. Daryl noted that these goals are not only goals of this scoping meeting, but also the first public meetings, as well as PMT meetings in the initial phases of the project.

- **Lead Agency is the Federal Highway Administration (FHWA)**

FHWA is represented in this study by Ted Bendure, Nevada Division Office. The responsibilities of the FHWA in the study include the following:

- Evaluates all reasonable alternatives
- Approves the Draft EIS
- Supervises the whole process
- Reviews the EIS for legal sufficiency
- Signs the Final EIS
- Writes the Record of Decision (ROD), no sooner than 30 days after publication of the Final EIS and 90 days after the publication of the Draft EIS

- **Cooperating Agencies**

The NEPA process dictates that cooperating agencies should be invited by the lead agency doing the EIS or may apply themselves directly to the FHWA. Agencies so far that have been asked to be a cooperating agency include the following:

- National Park Service
- Bureau of Reclamation
- U.S. Fish and Wildlife Service
- Western Area Power Administration
- U.S. Environmental Protection Agency
- U.S. Army Corps of Engineers
- City of Henderson

- City of Boulder City
- Clark County Regional Transportation Commission

A cooperating agency that has been invited does have the option of turning down cooperating agency status. Responsibilities of a cooperating agency can range from simple ongoing input throughout the process up to writing a section of the EIS.

III. Project History (Michael Lasko)

- ❖ **Question** - Jim Davenport/Colorado River Commission: What event and/or entity caused the beginning of the Boulder City / US 93 Corridor Study?
- ❖ **Answer** - Tom Greco/NDOT: The idea of improvements to the US 93 Corridor as it passes through Boulder City was generated by the City of Boulder City; after that, it was placed on the NDOT long-range task list, and then the short-range task list. Eventually the project was selected for study, and it was determined to be suitable to be an Environmental Impact Statement, due to its large scope and overall potential impact.
- ❖ **Question** - Jim Davenport/Colorado River Commission: Where is the Boulder City / US 93 Corridor Study on the NDOT priority list?
- ❖ **Answer** - Tom Greco/NDOT: The schedule of construction of the project is undetermined, as it depends upon funding as well as the alternative selected in the EIS (a southern bypass, for example, would be a more extensive and lengthy construction process than only improvements to the existing roadway). Other projects that NDOT is currently involved with include the I-580 Extension in Reno, the Reno Railroad, the Carson City Bypass, the US 95/Spaghetti Bowl widening (at Record of Decision), and the Hoover Dam EIS (nearing Final EIS). Of all of these projects, the Boulder City / US 93 Corridor Study is last with respect to undergoing the NEPA environmental process.
- **Related Projects to the Boulder City / US 93 Corridor Study**
 - **U.S. Bureau of Reclamation Hoover Dam Bypass** (stopped in 1992): The USBR conducted Phase A and B studies on a possible Hoover Dam bypass; Kris Mills (present at this meeting) was involved in these studies; the USBR stopped the project in 1992 - a draft EIS was never sent out to the public.
 - **Nevada Department of Transportation US 93 Colorado River Crossing Study** (completed 1994): The project was a corridor study that explored a southern route around Boulder City as a bypass alternative for US 93. This study also considered a second alternative of a Colorado River crossing at Willow Beach, located further south of Boulder City.
 - **Federal Highway Administration - Central Federal Lands Highway Division Hoover Dam Bypass EIS** (estimated completion Summer 2000): An EIS that is studying three alternative bridge crossings over Lake Mead and the Colorado River. The Final EIS is scheduled to be released soon, with a Record of Decision expected in summer of 2000.
 - **Nevada Department of Transportation US 93 Truck Climbing Lane at Railroad Pass** (not completed): This project was halted by NDOT so as to not conflict with the forthcoming Boulder City / US 93 Corridor Study.

❖ **Question:** Greg Corbin/Division of Museums and History/Nevada State Railroad Museum: The ending of the truck climbing lane project put off the reopening of the railroad in the vicinity of the US 93 crossing. Is there a possibility that the grade separation and reopening of the railroad can be broken out from the rest of the project? Where does NDOT see priorities to be within the study limits of the Boulder City / US 93 Corridor Study?

❖ **Answer - Tom Greco/NDOT:** During the proposal stage of this project, one idea was put forth of completing the environmental documentation in two segments, which corresponded to the following two segments of US 93:

- From the western study limit in Henderson to the US 93/95 Interchange, which would be addressed as an Environmental Assessment / Finding of No Significant Impact (EA/FONSI)
- A segment that would have termini at the US 93/95 Interchange on the west and the Hoover Dam EIS tie-in approximately at the Hacienda Hotel, addressed by an Environmental Impact Statement

However, though this strategy was carefully considered, it was not selected by NDOT, and an EIS will be performed for the entire study area to avoid potential segmentation of the process. Therefore, decisions within the study limits during the EIS process are made as part of one project. Construction (if it occurs) can be segmented and priority given to one segment over another. However, with respect to the EIS, the NDOT director has stated that the railroad crossing part of the study is just as important as the alleviation of congestion in downtown Boulder City.

- **Nevada Department of Transportation:** NDOT is in the process of preparing an Environmental Assessment and design of an upgrade to US 95 south of US 93, in which the road will be widened to a 4-lane divided highway. The project will occur in three phases: the first begins in Searchlight, Nevada, and extends 20 miles north, the second to the Laughlin turnoff at State Road 163, and the third to the US 93/95 Interchange.
- **Boulder City:** In the process of writing an Environmental Assessment (EA) and designing improvements to Veterans Memorial Drive to Yucca Street.
- **National Park Service:** Has long-term River Mountains Trail improvements planned through the Lake Mead National Recreation Area.
- **Las Vegas Valley Water District** (information provided by George Perkins/Western Area Power Administration): Designing a pipeline that will run from the new River Mountains Water Treatment Facility to Boulder City, supplying the MGM and Red Mountain Golf Courses.
- **Western Area Power Administration (WAPA):** WAPA is currently in the process of completing an EA addressing flooding problems along Buchanan Boulevard, whereby changes to the existing power line setup will make the area more resistant to flooding. This EA should be ready for use by our project team by summer (information provided by George Perkins/Western Area Power Administration).
- ❖ **Comment by George Perkins/WAPA:** George brought forth the idea that Chuck McEndree/WAPA should be directly involved in the Boulder City/US 93 Corridor environmental process. It was agreed upon by FHWA, NDOT, WAPA, and

CH2M HILL representatives that Chuck would be an excellent addition to the PMT and will be invited to future meetings.

IV. Scope and Schedule (Jeff Bingham)

- **Project Management Team**

The PMT has monthly meetings, with a goal for each meeting being to review the status of the overall project, determine progress versus the established schedule, resolve issues, and guide the process to completion.

- **Public Outreach Program**

There will be four public meetings over the course of the project. One occurred on January 26, 2000, which resulted in numerous comments and new issues to incorporate into the project. This EIS scoping process is also an important public outreach tool to familiarize the project management team with the agencies involved in the NEPA process, which can be important in permitting and jurisdictional reviews. One major goal of the public outreach program is to develop the Purpose and Need of the project, which is a critical section of the EIS. To date, five objectives have been developed for further study.

- **City Council Meetings**

There will be four meetings with both the Boulder City and Henderson City Councils during the course of the project. One in each city has taken place in January of this year. Coordination with these councils is important, as both must agree on the preferred alternative in the Final EIS.

- **Other Forms of Public Outreach**

Other planned means of public communication include Individual Stakeholder Meetings (smaller groups such as the Sierra Club), Newsletters (6 newsletters are planned, currently with a 6,500 name mailing list), Press Releases, and an interactive website, @ www.bouldercitystudy.com, which gives the public a good background of the project and its progress.

- **NEPA Scoping and EIS**

The NEPA process begins with the development of a Purpose and Need statement (an initial list of objectives has been created for the Boulder City / US 93 Corridor Study) and a range of reasonable alternatives.

Among the issues of importance to the development of the study are potential effects on the "human environment" (land use, social issues, economics, etc.), as well as the natural and cultural environment. When exploring social and economic issues in the NEPA process, we will look at case studies (e.g., other bypass studies in other places), business owner surveys, and will perform an Origin and Destination (O&D) study, which looks at the itinerary of a sample of motorists at either end of the study limits.

Air quality is another important issue in the EIS development - a carbon monoxide hot spot analysis, for example will be performed at four existing and planned intersections in the study limits. This study will take into account peak-period current traffic volumes and will also project 20 years into the future.

The noise analysis will look at approximately 15 monitoring sites and 35 sensitive receptor sites. Daryl James/NDOT indicated that the noise studies include mitigation solutions for future facilities and that, for this element of the EIS in particular, continued contact with the cooperating agencies is a must.

Biological, endangered species, and archaeological surveys will also be conducted for the EIS, using 300-meter study corridors inside which full and detailed surveys will be performed. The environmental portion of the overall study will also include information and data gathering for water quality, hazardous materials, visual resources, a Section 4(f) evaluation, and cumulative impacts.

After the Final EIS is approved, a Record of Decision in the Federal Register will certify the project to proceed.

- **Traffic (John Taylor/CH2M HILL)**

The following traffic components will be incorporated into the EIS:

- **Origin and Destination Study:** Two locations will be studied - Veterans Memorial Drive at US 93 and at the US 93 crossing of Hoover Dam. Michael Lasko/CH2M HILL indicated that CH2M HILL is currently working with the Boulder City staff to obtain an encroachment permit for this study, which includes coordination with NDOT and the Hoover Dam police.
- **Traffic Demand Modeling:** Will expand the current Regional Transportation Commission model into the Boulder City area
- **A Level of Service (LOS) Analysis:** This analysis will determine the traffic volume compared to roadway capacity constraints of US 93 as a means of identifying and correcting congested areas.

- **Engineering (John Taylor/CH2M HILL)**

The following engineering components will be addressed in the project:

- **Alternatives Development:** This is in the beginning stages, and continuous input from all affected agencies is requested. An aerial map of the study limits was set up, and attendees were invited to write directly on the map to indicate not only possible alternative bypass/roadway improvement routes, but also areas to avoid. Areas to avoid will include "fatal flaw" areas, such as transmission towers and large structures that would eliminate an alternative from consideration due to the high cost and/or complications with construction through or around them.

Several types of mapping will be incorporated into the engineering study, including 1:1000 base mapping, an aerial mosaic, and USGS mapping. Also important in alternatives development is a criteria analysis, where we will determine the level of detail and ranking of issues' importance in the overall study, within the constraints of safety. The criteria analysis serves to narrow the focus of the study; it utilizes input from both the public outreach process and the Project Management Team.

- **Conceptual Engineering:** This will take a reduced number of alternatives found to be most feasible in the initial investigations and assess their environmental impacts and engineering impacts. Engineering impacts can take the form of roadway, bridges, structures, traffic operations, hydraulics, and geotechnical effects.

- Aerial Mapping: Using 1:800 color aerials, DTM, and 1-meter contours, for example
- Field Surveys: Determination of utility locations, property corners, etc.
- Field Staking: For environmental surveys, within the 300-meter corridors mentioned in the previous section
- Assessor Parcel Maps: Acquired from Clark County, identifying property ownership within the study limits
- ❖ **Question:** Brad Hardenbrook/Nevada Division of Wildlife - Is the tie-in to the Hoover Dam Bypass project western terminus a certainty?
- ❖ **Answer:** Tom Greco/NDOT - All three alternatives tie into the same point, near the Hacienda Hotel and Casino on US 93. FHWA hopes to have a Record of Decision for the Hoover Dam Bypass EIS in the summer of 2000. Funding for the eventual construction is already 1/3 complete (of the approximate \$198 million total cost), and NDOT is optimistic that the remainder of the funding will come from the federal government. Traffic models indicate that the average number of cars going west into Boulder City will increase in the future regardless of whether there is a Hoover Dam bypass or not.
- **Schedule Milestones (Jeff Bingham/CH2M HILL)**

Jeff Bingham/CH2M HILL showed a summary milestone list of events during the course of the 30-month EIS process. He passed out to attendees of this meeting a more detailed Process-Flow Diagram that contains additional schedule information. The milestone list is divided into four main phases of the project, as follows:

- **Planning and Data Collection (9 months, 2 already complete)**
Various meetings with the public and city councils; identifying and refining needs, issues, and alternatives; mapping constraints; and developing a Purpose and Need statement
- **Draft EIS (10 months)**
Environmental and economic studies; conceptual and traffic engineering; public hearing and city council meetings; selection of a preferred alternative
- **Final EIS (9 months)**
Response to comments; finalize Section 106 (historic sites) and 7 (endangered species) consultation; development of the preferred alternative to 30 percent; final EIS approval
- **Record of Decision (2 months)**
Final public meeting; Record of Decision in the Federal Register

Michael Lasko/CH2M HILL indicated that the highlights of particular interest to the attendees of this meeting would be: Public Meeting No. 2 on April 26, 2000, the Draft EIS Public Hearing, the approval by both City Councils in June 2001, and the PMT Meetings (occurring the 4th Tuesday of each month).

V. Agency Input (Jeff Bingham/CH2M HILL)

- When?
Get involved early in the EIS process .
- Who?
Federal, State, and Local agencies and Indian Tribes participate in the EIS process; cooperating agencies are defined as agencies with jurisdiction by law and special expertise in the EIS subject matter
- What?
EIS scoping items include identification of impacts and alternatives of concern, determination of level of detail and significance, identification of agency permit and review requirements, and meshing the schedule with decisionmaking requirements
- How?
Attendees are asked to provide written comments and relevant information and studies. These comments are to be sent to Ted Bendure/FHWA, preferably by the end of the month of February. Within these comments, agencies and other affected parties are asked to provide the name of a contact that will stay involved over the long term of the project.

VI. Self-Introductions and Your Agency's Goals / Input

- **Tom Greco/NDOT**

Goal: to gather all agency input and develop purpose and need information

- **Greg Corbin/Division of Museums and History - Nevada State Railroad Museum**

Goals include the following:

- Re-establish Boulder Branch Railroad lines access
- Restore the railroad crossing at US 93
- Protection of the integrity of the railroad

Greg indicated that archaeological (cultural) studies have been produced by the Harry Reid Center/UNLV for the railroad that may be incorporated into the Boulder City EIS. With respect to permit issues, Greg indicated that railroads in Nevada are regulated by the Public Utilities Commission, which will be important in right-of-way acquisition permitting. Note that Mile Post 18.02 is the city/state right-of-way boundary. There are separate permitting issues to be addressed with the City of Henderson.

- **Bruce Kreps/U.S. Sprint**

Goal: to maintain the integrity of Sprint lines in the vicinity of the project

- **Jim Cooley/U.S. Sprint**

Jim provided a layout of the primary Sprint route - Sprint has direct-buried, aerial, and conduit lines in the study area.

- **Phil Henry/Boulder City**

❖ **Question:** When is the traffic study that accompanied the Hoover Dam EIS official?

- ❖ **Answer:** Jeff Bingham/CH2M HILL - Additional traffic analysis is being conducted in response to comments on the Laughlin study in the DEIS received from the Sierra Club and others. This study is evaluating the 23 extra miles that traffic would have to cover to bypass the Hoover Dam crossing via the Laughlin - Bullhead City crossing of the Colorado River. This analysis will be incorporated into the Final EIS.
- ❖ **Follow-Up Question:** Phil Henry/Boulder City - How does this new and former traffic study affect the Boulder City / US 93 Corridor Study?
- ❖ **Answer:** Tom Greco/NDOT - Traffic study numbers between the Hoover Dam / Boulder City study tie-in point (near the Hacienda Hotel) are identical. On this end of the project, we need to make sure the traffic numbers and methodology used are consistent. All points west of this tie-in point will vary and are affected by multiple variables.

A point of continuity exists between the two EISs in that Tom Ragland/CH2M HILL is involved in both traffic studies, as well as O&D studies being performed presently. This should create some continuity for the projects.

- ❖ **Concern:** Phil Henry/Boulder City - Expressed his concern about the adequacy of previous studies, as the Hoover Dam bypass will become a major truck route. Phil expressed the need to evaluate all previous traffic studies performed on US 93 in this area, as percentage of truck traffic is a key issue for Boulder City. Traffic projections must be reputable to continue the study appropriately.

Daryl James/NDOT added that it will be necessary to acquire buyoff from the Clark County Regional Transportation Commission (RTC) prior to proceeding as well. Jeff Bingham/CH2M HILL then added that CH2M HILL is now working with the RTC to assure the validity of the data and the modeling.

- **Gary Johnson/Clark County Regional Transportation Commission**

Concerns include the following:

- Progression of the travel demand modeling, coordination to get appropriate and accurate data
- Air quality concerns
- Public transit concerns - as an example, Tom Greco/NDOT indicated that in the first Public Meeting, a bicyclist wanted there to not be a bike lane incorporated into the roadway improvements - local access to the roadway is important
- Use of the existing highway as a frontage road
- ❖ **Question:** Is there a need for a coordination meeting / presentation with the RTC and how will this project get into the Transportation Improvement Plan?
- ❖ **Answer:** Michael Lasko/CH2M HILL - A presentation to the RTC would be good to make at a strategic point in the project. We will leave this to the discretion of the RTC.

- **Chuck McEndree/Western Area Power Administration**

Goal: to help identify utility conflicts and address alternatives as the project progresses. Chuck provided John Taylor/CH2M HILL with a broad brush outline of WAPA facilities and power lines within the study map provided in the initial utility search.

WAPA is doing an EA for the Buchanan Boulevard transmission line, to address solutions to high floodwaters along Buchanan Boulevard. It should be available for use with the Boulder City / US 93 Corridor Study sometime this summer. In addition, Chuck indicated that WAPA plans to have some line work done between Hoover Dam and the Mead Substation, and has historical studies ongoing for Hoover Dam facilities.

Michael Lasko/CH2M HILL indicated that toward the end of 2000 we will be fine-tuning the alternatives selected. At that time, it might be productive to have John Taylor/CH2M HILL go down to the Phoenix WAPA office to go through detailed data on the power lines and structures to aid in this fine-tuning.

It was decided that all attendees will receive a copy of these scoping meeting minutes upon approval by NDOT.

- ❖ **Question:** Phil Henry/Boulder City - Asked Chuck McEndree his feelings about the ramifications of a southern bypass into the area where many WAPA lines are situated.
- ❖ **Answer:** Chuck indicated that a southern bypass would only be a large problem if it resulted in major incidents, such as a power outage.

- **George Perkins/WAPA**

Comments:

- Most Southern California Edison lines are actually maintained by WAPA
- Recommended going through Chuck McEndree to get the names of other Indian Tribes that may have an interest in this project
- Can work with Mary Barger, WAPA archaeologist, for cultural issues

- **Jim Holland/Lake Mead National Recreational Area**

Jim is putting his goals and issues in writing, which include the following:

- Providing safe public access to Lake Mead and the back-country road system - this could impact freeway bypass alternatives
- Land Use - Section 4(f) issues: part of the area in the study under consideration is classified as potential wilderness in the LMNRA General Plan. Jim will provide this general plan to CH2M HILL.
- The Safety First Building has historic elements
- Ensure that drainage in the Hemenway Wash is addressed, in that it will be important to slow the water down if a bypass was built in its vicinity

- **Ted Bendure/Federal Highway Administration**

Goal: to follow the NEPA process, minimize challenges to the NEPA process, and exhibit open communication throughout the study.

- **Bill Anderson/Moapa Band of Paiutes**

Comments:

- The tribe will help with archaeological information (antiquities)
- The Moapa Band of Paiutes has its own staff and is willing to help in the project
- There are approximately eight other tribes that can lay claim to a portion of the area within the study limits; most of them do not have staffs, mainly are roaming tribes; nevertheless, all tribes' concerns need to be addressed.
- The Moapa Band of Paiutes will do burial relocations if necessary

Jeff Bingham/CH2M HILL indicated that UNLV will develop a consultation plan for all interested tribes, and CH2M HILL will make sure that the coordination with the tribes will be more than just a letter-writing exercise; tribal consultation will be an important part of the project, as required under Section 106 of the National Historic Preservation Act.

- **Cricket VanWy/Southwest Gas**

Comments:

- There is a 10-inch gas line down Old Highway 95 (now the Boulder City property line) and east along US 93 to Boulder City - plans have been provided in the initial utility search
- Cricket will continue to stay in contact throughout the EIS process and monitor any conflict with the gas line
- Supervisor contact at Southwest Gas is Tony Hills

- **Ray Moser/Henderson Police Department**

Henderson PD's main concern is Railroad Pass and the accidents that have occurred there. A long-term contact within the department will be decided in the near future. There should also be a representative from the Traffic Department.

- ❖ **Note:** Tom Greco/NDOT - Neither Railroad Pass nor the Hacienda Hotel and Casino has made their feelings known about the Boulder City / US 93 Corridor Study. CH2M HILL will be approaching them to get their opinions during the Data Collection and Draft EIS phase.
- ❖ **Additional Information:** Michael Lasko/CH2M HILL - CH2M HILL has been working with Boulder City and the Henderson Police Department to apply for an encroachment permit for the O&D Study at the traffic light at Veterans Memorial Drive; the survey will follow correct procedures to create a safe study.

- **Brad Hardenbrook/Nevada Division of Wildlife**

Concerns:

- A southern bypass could possibly cut through Bighorn Sheep habitats

- Fencing will be necessary to protect the sheep
- There is a high sheep mortality rate at Railroad Pass
- Sheep crossing at the railroad grade separation is also a priority. Brad will provide plans and details on existing known sheep crossings, and NDOW is continuing to do Bighorn Sheep studies (crossings, mortality, etc.)
- Other species of concern include reptiles, such as gila monsters (especially in the area south of the Boulder City property line)
- Pat Cummings/NDOW is a technical point of contact and a good resource for sheep mortality information
- ❖ **Additional Information:** Tom Greco/NDOT - An EA is currently being done by NDOT on US 95 down to State Road 163. In this EA, NDOT will also look at wildlife issues and provide applicable data to the Boulder City project.

- **Kris Mills/ Bureau of Reclamation**

Concerns:

- Existing facilities (water lines from Boulder City to the Hoover Dam)
- Some withdrawn lands are potentially impacted by the study
- Maintaining safe access to the dam
- Impacts that may affect the water quality of the lake or river
- Dave Curtis (Compliance) will likely be the future main point of contact, though Kris will stay in contact as well

Comments:

- Traffic issues: the USBR previously conducted a workshop in Boulder City about how the traffic was modeled; in the end there still was some controversy. Kris suggested additional traffic workshops in Boulder City, and perhaps some actual on-the-ground counting of vehicles to improve confidence in traffic models.

VII. Wrap-up and Action Items

The scoping meeting was closed at approximately 6:00 p.m. The following are action items that resulted from the meeting:

- **All Scoping Meeting Attendees:** Attendees are asked to provide written comments and relative information studies. These comments are to be sent to Ted Bendure/FHWA, preferably by the end of the month of February 2000. Within these comments, attendees are asked to provide the name of a contact that will stay involved over the long term of the project.
- **Greg Corbin/Nevada State Museum:** Indicated that archaeological (cultural) studies have been produced by the Harry Reid Center/UNLV for the railroad that may be incorporated into the EIS.
- **Phil Henry/Boulder City:** Expressed his concern about the adequacy of previous studies, as the Hoover Dam bypass will become a major truck route. Phil expressed the need to evaluate all previous traffic studies performed on US 93 in this area, as percentage of truck traffic is a key issue for Boulder City. Traffic projections must be reputable to continue the study appropriately.

- Attain buyoff from the Clark County Regional Transportation Commission (RTC) of the traffic modeling.
- Michael Lasko/CH2M HILL: A presentation to the RTC would be good to make at a strategic point in the project. We will leave this to the discretion of the RTC in that when they require an update, a presentation or meeting will be held.
- The Western Area Power Administration (WAPA) is doing an Environmental Assessment for the Buchanan Boulevard transmission line, resulting from high floodwaters along Buchanan Boulevard. It should be available for use with the Boulder City / US 93 Corridor Study sometime this summer.
- Chuck McEndree/WAPA indicated that WAPA plans to have some line work done between Hoover Dam and the Mead Substation, and has historical studies ongoing for Hoover Dam facilities. Need to incorporate those studies into the EIS.
- Michael Lasko/CH2M HILL indicated that toward the end of 2000 we will be fine-tuning the alternatives selected. At that time, it might be productive to have John Taylor/CH2M HILL go down to the Phoenix WAPA office to go through detailed data on the power lines and structures to aid in this fine-tuning.
- Chuck McEndree/WAPA to be invited to be on the Project Management Team.
- George Perkins/WAPA: Recommended going through Chuck McEndree to get the names of other Indian Tribes that may have an interest in this project
- Jim Holland/Lake Mead National Recreational Area: Part of the area in the study under consideration is classified as potential wilderness in the General Plan. Jim will provide this general plan to CH2M HILL.
- Michael Lasko/CH2M HILL - We have been working with Boulder City, who coordinates with the Henderson Police Department for an encroachment permit for the O&D Study at the traffic light at Veterans Memorial Drive, following the correct procedures to create a safe study.
- Traffic issues: the USBR conducted a workshop in Boulder City about how the traffic was modeled - in the end there still was some controversy. Kris suggested additional traffic workshops in Boulder City, and perhaps some actual on-the-ground counting of vehicles to improve confidence in traffic models.

Attachments: EIS Scoping Meeting Handout
Sign-in Sheet

Appendix D

Impairment Determination

**Impairment Determination
Boulder City / U.S. 93 Corridor Study
Lake Mead National Recreation Area**

This document summarizes and analyzes the findings of the Environmental Impact Statement for the Boulder City Bypass Project and determines if there are any resources that could be impaired as a result of the proposed action.

The NPS Organic Act directs the NPS to manage units "to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such a manner as will leave them unimpaired for the enjoyment of future generations." (16 U.S.C. § 1). Congress reiterated this mandate in the Redwood National Park Expansion Act of 1978 by stating that the NPS must conduct its actions in a manner that will ensure no "derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress." (16 U.S.C. § 1 a-1.). The Organic Act prohibits actions that permanently impair park resources unless a law directly and specifically allows for the acts. An action constitutes an impairment when its impacts "harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources and values." (Management Policies 1.4.3).

NPS Management Policies (2001) requires the analysis of potential effects of each alternative to determine if actions would impair park resources. To determine impairment, the NPS must evaluate "the particular resources and values that would be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts." (Management Policies 1.4.4). The NPS must always seek ways to avoid or minimize, to the greatest degree practicable, adverse impacts on park resources and values. However, the laws do give the NPS management discretion to allow impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, as long as the impact does not constitute impairment to the affected resources and values (Management Policies 1.4.3).

NPS units vary based on their enabling legislation, natural and cultural resources, missions, and the recreational opportunities appropriate for each unit, or for areas within each unit. An action appropriate at Lake Mead NRA as designated by the enabling legislation may impair resources in another unit.

Nevertheless, the NPS cannot allow any activity in a park if it would involve or result in:

1. Inconsistency with the park's enabling legislation or proclamation, or derogation of the values or purposes for which the park was established.
2. Unacceptable impacts on visitor enjoyment due to interference or conflict with other visitor use activities
3. Consumptive use of park resources
4. Unacceptable impacts on park resources or natural processes
5. Unacceptable levels of danger to the welfare or safety of the public.

The determination of impairment is closely tied to the outcome of the resource impact analysis in the environmental impact statement. This determination is also made with a parallel consideration of the park's legislative mandates (purpose and significance), and resource management objectives as defined in the park's *General Management Plan*, *Strategic Management Plan*, and *Resource Management Plan*.

Within the Environmental Impact Statement for the Boulder City Bypass, nine impact topics were analyzed under the four alternatives.

The following table summarizes the impacts on park resources from all the alternatives.

U.S. 93/Boulder City Corridor Study

Park Resource	Impact Level by Alternative				Impairment		Discussion
	A	B	C	D	Potential		
Air Quality	Minor	Minor	Minor	Moderate	No		<ul style="list-style-type: none"> Impacts during construction could be mitigated with dust control and best management practices Vehicle emissions would increase as the grade has increased to 6% within the park under Alt. D Emissions would not exceed State Class II standards Stormwater runoff mitigation
Water Quality	None	Minor	Minor	Minor	No		<ul style="list-style-type: none"> Floodplain mitigation is already in place in Hemenway Wash While there are floodplain impacts occurring within the park from the current floodplain mitigation, this project does not offer the opportunity to address that issue
Floodplains	None	Minor	Minor	Minor	No		
Land Use	None	Moderate	Moderate	Major	No		<ul style="list-style-type: none"> Project area is included the Park's Natural Zone - does not include special area or resource zoning The general project area currently contains transmission lines and service roads - a new transmission line was constructed in this corridor in 2001 45-acres of park land would be required under Alts. B and C 85-acres of park land would be required under Alt. D The existing road corridor would be maintained under Alt. D. so land use impacts are cumulative
Biological Bighorn Sheep/ Desert Tortoise Habitat	Minor	Moderate	Moderate	Major	No		<ul style="list-style-type: none"> All build Alts. would impact wildlife habitat (45 - 85 acres) Sheep collisions with vehicles are occurring today All build alternatives would add to the difficulty in sheep movement within the northern Eldorado Mountains Bighorn sheep habitat fragmentation may result in the loss of habitat on the north side of the new alignment May be able to mitigate with dedicated sheep crossings Desert tortoise habitat would be impacted Desert tortoise mitigation measures would be incorporated

Park Resource	Impact Level by Alternative				Impairment	
	A	B	C	D	Potential	Discussion
Ethnographic Resources	Minor pending consult	Minor pending consultation	Minor pending consultation	Minor pending consultation	Not Determined	<ul style="list-style-type: none"> Based on information provided NDOT - The SHPO has approved the consultation effort to date - would require specific consultation on the Sullivan Turquoise Mine - outcome of consultation on this property is unknown The Sullivan Turquoise Mine is located within Lake Mead NRA near the head of Goldstrike Canyon - a recently nominated TCP
Noise/Soundscape	Minor	Minor	Minor	Moderate to Major	Not Determined	<ul style="list-style-type: none"> Vehicles climbing and braking on the 6% grade would result in additional noise over existing conditions or Alts. B and C The primary visitor use facility in the area is the Alan Bible Visitor Center where highway noise is currently present - noise levels are not anticipated to increase at the Alan Bible Visitor Center over existing situation "Alt. D would result in substantive increases over existing background noise levels - areas within a distance of 550-feet from the highway would experience substantial noise level increases"(Page 4-11). NPS does not concur with operational finding that mitigation is not required in areas "not deemed to be of frequent human use". Mitigation may be required
Visual Resources	Minor	Moderate	Moderate	Major	No	<ul style="list-style-type: none"> All build alternatives would require disturbance of additional park land Alts. B and C are proximal to the existing corridor Alt. D requires a 250-foot vertical cut in the mountainous ridge - this ridge is located outside the park but visible from Lake Mead NRA Mitigation could reduce visual impact through staining areas of high contrast
Social Setting	Minor	Minor	Minor	Minor	No	<ul style="list-style-type: none"> Project would improve the interstate traffic flow within Lake Mead NRA Intersection of Lakeshore and US93 would be improved by reducing traffic volume

Only the three action alternatives will be evaluated for the potential to impair park resources, including the National Park Service preferred alternatives (Alternative B or C), and the locally preferred alternative (Alternative D). The discussion will focus on impacts to park lands only.

Within alternatives B and C, six impact topics were found to have minor impacts on park resources, and three impact topics were found to have moderate impacts on park resources. Since no major impacts to park resources would occur as a result of implementing either alternative B or C, there is no potential for impairment.

If alternative D is implemented, major impacts would occur to biological resources, including bighorn sheep and desert tortoise habitat, land use, soundscape, air quality and ethnography. The impairment determination will focus on these impact topics. All other impact topics were considered to have negligible to moderate impacts as a result of the implementation of alternative D, therefore, there is no potential for impairment. (This finding is, in part, based on information provided by NDOT that the SHPO has approved the consultation effort.)

Biological Resources

All the build alternatives would impact wildlife habitat. Alternative D would impact 85 acres of wildlife habitat, the most of any alternatives. The primary wildlife species of concern in this area, as identified through the planning process, are desert bighorn sheep, desert tortoise, chuckwalla, gila monster, various birds, and small mammals. Major impacts would occur to desert bighorn sheep and desert tortoise as a result of implementing alternative D, therefore, these species will be the focal point of the impairment analysis. Mitigation adopted for the protection of bighorn sheep and desert tortoise would subsequently protect the other wildlife species in the proposed project area.

All the build alternatives would add impediments to sheep movement within the Eldorado Mountains. The Nevada Division of Wildlife considers the Eldorado Mountains a core use area for sheep. Alternative D would result in major impacts to bighorn sheep habitat because of habitat fragmentation due to the construction of a major highway corridor in relatively undisturbed areas. There are some portions of the proposed project area that have been previously disturbed by a powerline corridor and existing approved road. The low level of disturbance and traffic however has probably not had significant impact. Implementing alternative D would further alter the existing ecological setting, possibly disrupting sheep movement corridors and patterns. There is a high probability that this area holds suitable lambing areas, which could be encroached upon by this alternative. There could also be an increase in direct mortality of sheep as a result of being hit by vehicles using the new roadway.

Mitigation, such as fencing, barriers, sheep crossings, and highway design would reduce the direct impacts of mortality, and could reduce the extent to which wildlife movement is disrupted. This mitigation prevents the impacts to park resources and natural processes, such as bighorn sheep and other wildlife movement patterns, from becoming

unacceptable. Therefore, there would be no impairment to desert bighorn sheep as a result of the impacts associated with alternative D.

The acreage available to desert bighorn sheep adjacent to the proposed highway, and within other protected areas of Lake Mead NRA, including the Eldorado Mountains, prevents the impacts associated with alternative D from being an impairment to park resources. Alternative D is not inconsistent with the enabling legislation of Lake Mead NRA. Alternative D utilizes portions of a previously disturbed area, including an existing powerline corridor and approved road. Since the amount of acreage that would be utilized in this alternative (85 acres) is a small portion of the protected acreage in the recreation area, this alternative would not result in the derogation of the values and purposes for which the park was established.

Alternative D would result in major impacts to desert tortoise and their habitat. The southernmost section of alternative D passes approximately 1.6 km (1 mile) north of the Eldorado Valley Desert Tortoise Preserve. This land contains critical habitat for the desert tortoise. It is set aside for the project of this species and suitable habitat. The desert tortoise resides within the proposed project area. Tortoise sign noted along the route proposed in alternative D indicates that tortoise densities in the proposed project area range between low to moderate. Approximately 85 acres of habitat would be removed from the project area, which includes desert tortoise habitat. Consultation is ongoing with the U.S. Fish and Wildlife Service, and a finding of likely to adversely affect the desert tortoise is predicted. Mitigation adopted in consultation with the U.S. Fish and Wildlife Service and in accordance with NPS construction mitigation standards would reduce potential impacts to desert tortoises and the likelihood of take. This alternative would not result in a jeopardy finding. Therefore, the impacts as a result of implementing alternative D would not result in impairment to the desert tortoise.

Overall, alternative D would not likely be considered to constitute impairment because impacts to wildlife resources as a result of implementing this alternative would not result in the loss from the park of any native species or result in a native species no longer being capable of maintaining a viable population; or would not diminish wild life resources to the point that natural ecological processes in all or a significant portion of the park are permanently disrupted; or would not diminish wild life resources (e.g., the abundance of a species) to the point that the public no longer has an acceptable opportunity to enjoy the park resources; or would not preclude the park from attaining goals established in approved management plans. Alternative D would not eliminate or significantly diminish any resources for which the park was specifically established.

Land Use

As a result of alternative D, there would be major impacts to land use within Lake Mead National Recreation Area. There would be an estimated 85 acres of recreation area lands converted from a slightly disturbed area to a permanently disturbed four-lane highway with controlled access. This area is slightly disturbed as an approved road corridor and powerline corridor, currently exists. The lands that would be impacted if alternative D is implemented are located within the Boulder Basin Zone, Natural Zone, of the recreation

area, as defined within the General Management Plan (1986). The proposed project area does not include additional special area or resource zoning.

As a result of implementing alternative D, the existing approved road would be removed from public use. The utility corridors would remain in place. This acreage would no longer be available for recreational use to the general public. The existing road corridor of U.S. Highway 93 would remain in place, therefore, the land use impacts are cumulative. The 85 acres estimated to be utilized under this alternative would no longer be available for wildlife. Plants would be removed from this acreage, though some rehabilitation could occur along the highway.

Mitigation relating to the use of recreation area lands was addressed in a Section 4(f) evaluation within the environmental impact statement. Section 4(f) of the U.S. Department of Transportation Act of 1966 (49 USC § 303) specifies that transportation programs requiring the use of publicly owned lands, such as recreation areas, may only be approved by the Secretary of Transportation if there is no feasible and prudent alternative to using that land; and the program or project area includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use. Measures to minimize harm to resources, including plants and wildlife, would be incorporated into the design and construction of all the build alternatives. Mitigation to protect wildlife would be incorporated into this alternative, and includes fencing, barriers, sheep crossing, and highway design to reduce the potential for direct mortality, and to reduce the impacts from wildlife movement disruption. Measures to minimize harm to park visitors include limiting or restricting recreational use, imposing trail-use regulations, scheduling construction activities in close coordination with the NPS, and providing ongoing information to the public.

Much of the acreage that would be utilized by implementing this alternative has been previously impacted by the existing utility corridor and an approved backcountry road. Recreational use does occur in the area, mainly from visitors using the approved roads and accessing the backcountry of the recreation area. The recreational use and value of the lands within and near the utility corridor is considered low. Overall, visitation to this area is low to moderate, and seasonal in nature. Therefore, there would be no unacceptable impacts on visitor enjoyment due to interference or conflict with other visitor use activities as a result of implementing this alternative. There would be no unacceptable impacts on park resources and natural processes, or unacceptable levels of danger to the welfare or safety of the public. The impacts associated with alternative D would not likely constitute an impairment to land use.

Soundscapes

Alternative D would add human-generated noise from motorized vehicles to an area where there is only negligible human-generated noise. Current levels of motorized use in this area are low. Vehicular access is currently provided by an approved road. Airplane noise can be heard from Hoover Dam and Grand Canyon air tours. Some noise is produced by the 230kV powerlines. Existing peak-hour noise levels in this region have been recorded at 41 dBA.

Under alternative D, areas within a distance of approximately 165 m (550 ft) from the highway would experience substantial noise level increases. During peak-hour, without mitigation, noise levels would increase from their current level of 41 dBA to 56 to 65 dBA. These noise levels expected at 45 to 165 m (150 to 550 ft) from the alternative D centerline, assuming a clear line-of-sight from outlying areas to the highway.

Noise can adversely affect park resources, including but not limited to natural soundscapes, wildlife, and the visitor experience. Noise can intrude or modify the natural soundscape, particularly in quiet places. Noise can indirectly impact wildlife resources by interfering with sounds important for animal communication, navigation, mating, nurturing, predation, avoiding predators, and foraging. Noise can impact visitor experience, particularly where management objectives for visitor experience include solitude, serenity, or a completely natural or historic environment.

The *NPS Management Policies* (Section 4.9) requires the recreation area to preserve, to the greatest extent possible, the natural soundscapes of the recreation area. Natural soundscapes exist in the absence of human-caused sound. *Management Policies* directs the Superintendent to identify what levels of human-caused sound can be accepted within the management purposes of the recreation area. *Director's Order 47: Soundscape Preservation and Noise Management* (2000) defines the overall goal of NPS units, to protect, maintain, or restore the natural soundscape resource.

Noise is considered a major impact to the natural soundscape when natural sounds are masked by human-caused noise frequently or for extended periods of time. Human-caused noise are often at moderate or higher levels compared to the natural soundscape in a majority of the area. Visitors do not have the opportunity to experience the natural soundscape free from human-caused noise the majority of the time. Duration and intensity of the human-caused noise, and time of day or time of year a given noise occurs, also have a significant influence on the impact it will have.

No mitigation to protect the soundscape of Lake Mead NRA was proposed in the mitigation or measures to minimize harm, since potential traffic mitigation measures are required by the Federal Highways Administration, to give primary consideration to those areas where "frequent human use" occurs and a lowered noise level would be of benefit. Since the portions of Lake Mead NRA which would be impacted by the implementation of alternative D are not deemed to be of "frequent human use," the determination was made by the Federal Highway Administration that noise abatement is not required for these areas.

The head of Goldstrike Canyon is an area believed to meet the definition of an area with "frequent human use" and therefore may require mitigation. This area serves as the trailhead and parking area for access into Goldstrike Canyon and has been determined eligible as a "Traditional Cultural Property" by the Native American Community. Protection of the sacred setting may warrant sound mitigation. The level of mitigation

will be determined through consultation with the Native American Community and the National Park Service.

Without mitigation to reduce noise to acceptable levels, including the construction of noise barriers, noise levels under alternative D would substantially exceed the existing noise levels, and could approach or exceed the Noise Ambient Criterion. This would not meet the requirements of *Management Policies*, or *Director's Order-47*. It could lead to unacceptable impacts to park resources.

A determination of impairment can not be completed until the mitigation to protect Goldstrike Canyon and the natural soundscape resources is developed.

Visual Resources

All build alternatives would require the disturbance of additional park lands, however, alternatives B and C are proximate to the existing road corridor, therefore, the impacts to visual resources would be moderate. Alternative D would add a four-lane highway, with road cuts, to an area previously disturbed from an existing utility corridor and approved backcountry road, and through undeveloped high ridges and canyons of the Eldorado Mountains. In addition, alternative D would require a 250-foot vertical cut in a mountainous ridge located outside the recreation area, but visible from within the recreation area. The impacts to the visual resources of Lake Mead NRA as a result of implementing alternative D would be major.

Mitigation, including highway design, corridor restoration and landscaping, recontouring and staining areas of high contrast, could reduce the impacts to the visual resources of the recreation area.

Since most of the proposed project lands are previously disturbed, and mitigation would be required to reduce the visual impacts of the four-lane highway, alternative D would not result in inconsistency with the recreation area's enabling legislation or proclamation, or derogation of the values or purposes for which the recreation area was established. The impacts to the visual resources associated with implementing alternative D would not likely constitute an impairment to the visual resources of the recreation area.

Ethnographic Resources

Based on information provided NDOT, the State Historic Preservation Office has approved the consultation effort to date but would require specific consultation on the Sullivan Turquoise Mine. The Sullivan Turquoise Mine is located within Lake Mead NRA near the head of Goldstrike Canyon, which was recently determined eligible for nomination to the National Register as a Traditional Cultural Property. The outcome of consultation on this property is unknown, therefore, the potential for impairment can not be determined.

Finding:

The effects of the Preferred Alternative will not impair Park resources or values necessary to fulfill specific purposes identified in the Park's enabling legislation. Impacts

documented in the EIS and summarized above will not affect resources or values key to the natural and cultural integrity of the Park or alter opportunities for enjoyment of the Park. The Preferred Alternative will not impair Park resources and will not violate the NPS Organic Act.

Approved:



William K. Dickinson, Superintendent
Lake Mead National Recreation Area

7/22/02
Date